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DE FACTO SCHOOL SEGREGATION

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HEARINGS

BEFORE

A SPECIAL SUBCOMMITTEE

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH CONGRESS

FIRST SESSION

ON

INVESTIGATION OF DE FACTO RACIAL SEGREGATION
IN CHICAGO'S PUBLIC SCHOOLS

HEARINGS HELD IN WASHINGTON, D.C., JULY 27 AND 28, 1965

Printed for the use of the Committee on Education and Labor
ADAM C. POWELL, *Chairman*

EQUAL EDUCATIONAL OPPORTUNITIES
PROGRAM COLLECTION

UD 008 338

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WASHINGTON : 1965

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CONTENTS

Page

Hearings held in Washington, D.C.:

July 27, 1965 ... 1
July 28, 1965 ... 149
Foreword by the Chairman ... VII

Statement of—

Black, Timuel D., president, Chicago chapter, Negro American Labor Council, Chicago, Ill ... 196
Bosky, Mrs. Joseph, representing Mothers Opposed to Meddling in Schools, 6556 North Chicora Avenue, Chicago, Ill ... 172
Finley, Sydney, quad-State field secretary, NAACP (accompanied by Charles Chew, Jr., an alderman of the 17th ward of the city of Chicago, and Meyer Weinberg, editor of Integrated Education magazine) ... 149
Hauser, Prof. Philip M., University of Chicago, and chairman, advisory panel on integration ... 98
Raby, Alfred A., Chicago, Ill., accompanied by Dr. Faith Rich, chairman of CORE Research Committee, and Meyer Weinberg, history teacher, Wright Junior College, and editor of Integrated Education magazine ... 207
Willis, Benjamin C., general superintendent of Public Schools of Chicago (accompanied by Dr. Virginia Lewis, assistant superintendent of schools; Mrs. Louise Daugherty, district superintendent; Dr. Eileen Stack, associate superintendent of schools; Mrs. Evelyn Carlson, associate superintendent of schools; Julien Drayton, assistant superintendent of schools; and Miss Dorothy Sauer, principal of a high school ... 5, 127

Statements, letters, supplemental material, etc.:

Abner, Willoughby, national vice president, Negro American Labor Council, statement by ... 315
Aaron, Ely M., chairman, Chicago Commission on Human Relations:
  Letter to Frank M. Whiston, president, Board of Education, Chicago, Ill., dated June 5, 1964 ... 340
  Letter to Frank M. Whiston, president, Board of Education, Chicago, Ill., dated July 6, 1965 ... 341
Black, Timuel D., president, Chicago area chapter of the Negro American Labor Council:
  Minutes of Washbourne Trade School committee meeting ... 200
  Statement submitted by ... 197
  Testimony:
    November 5, 1964 ... 317
    December 15, 1964 ... 319
Cassell, Frank, Chicago Urban League, board of directors, notes on problems of Negro employment ... 325
"Chicago, Civil Rights U.S.A., Public Schools, Cities in the North and West, 1962," A report to the U.S. Commission on Civil Rights ... 243
Chicago Teachers Union's dinner theater party and dance poster ... 334
City Council of the City of Chicago, Ill., resolution by ... 340
Commission on Human Relations, City of Chicago:
  Contractor employment practices report ... 349
  Contractors show gain in Negro apprentices ... 352
Cook, Mrs. Junerous, Chicago Urban League research specialist, statement by ... 121
Coons, John E., professor of law, Northwestern University School of Law:
  Letter to Frank M. Whiston, dated May 18, 1965 ... 135
  Letter to Frank M. Whiston, dated May 25, 1965 ... 136
  Letter to Dr. Benjamin C. Willis, dated April 5, 1965 ... 134

Statements, letters, supplemental material, etc.—Continued — Page
- Effects of segregation on children, the — 345
- Explanation of two sections of poverty bill, memorandum from Howard Fuller — 343
- Finley, Sydney, quad-State field secretary, National Association for the Advancement of Colored People, letter to Chairman Powell, dated July 26, 1965 — 149
- Hauser report, verbatim transcript, meeting, special committee — 179
- Keppel, Hon. Francis, U.S. Commissioner of Education, letter to Benjamin C. Willis, dated March 25, 1965 — 134
- Linfield, Jan, and Paul G. Shane, Social Workers for Human Rights, statement by — 194
- Marciniak, Edward, executive director, Commission on Human Relations, summary to mayor and members of city council, dated December 2, 1963 — 334
- "Negro Unemployment—A Case Study," by Harold Baron, excerpt from — 330
- New Delman, Mitchell Jay, Law Students Civil Rights Research Council, University of Chicago, College of Law, "Chicago's Washburne Trade School; A Delegation of Social Discrimination," article by — 224
- Simonds, K. T., addenda re Thomas J. Murray family — 224
- Union replies about membership by race, religion, national origin — 337
- "Vocational Education and Apprenticeship Training—A Time of Crisis," excerpts from "Employment," book 3, 1961, Commission on Civil Rights — 320
- "Wanted: More Negro Apprentices at Washburne Trade School," a study by the Chicago Committee on Racial Equality — 322
- Weinberg, Meyer, and Faith Rich, cochairmen, Research Committee, Coordinating Council of Community Organizations, report by — 152
- Willis stands accused by his record — 352
- Willis, Benjamin C., general superintendent of public schools of Chicago:
  - A Chicago Urban League research report — 61
  - Adult day school, statement on — 55
  - After school elementary remedial reading classes, May 1965 (map) — 22
  - Areas with highest concentration of poverty based on (5) indicators (map) — 12
  - Birthplace of educational and vocational guidance center students (chart) — 15
  - Budget, 1953 and 1965 (chart) — 30
  - Building fund—Local tax rate (chart) — 28
  - Building program—Schools occupied, January 1, 1951, to September 1, 1965 (map) — 17
  - Contrasting district data (chart) — 16
  - District superintendents' districts (map) — 10
  - Dual (shared-time) enrollment plan, statement on — 56
  - Educable mentally handicapped classes, June 1965 (map) — 25
  - Educational and vocational guidance centers, June 1965 (map) — 23
  - Educational fund—Local tax rate (chart) — 27
  - Elementary enrollment with greatest growth in districts, September 1951 to September 1964 (map) — 7
  - Elementary schools with hot food lunchroom service, June 1965 (map) — 26
  - Elementary special summer schools, grades 1 to 6, 1965 (map) — 21
  - Elimination of double shift, 1961–63 (chart) — 18
  - Enrollment—Schools, 1953–65 (chart) — 8
  - Enrollments—Kindergarten through college (chart) — 5
  - Head count (October 7, 1964), racial distribution, graphically (map) — 12
  - Head Start classes (prekindergarten), summer 1965 (map) — 25
  - High school attendance areas (map) — 11
  - IB pupil data—Fall 1963 (chart) — 15
  - Increase in teaching positions, September 1953 to September 1964 (chart) — 19
  - Median years of school completed by adults 25 years and over, comparative data (1960 census) (map) — 14

Statements, letters, supplemental material, etc.—Continued

Willis, Benjamin C.—Continued Page

- Neighborhood Youth Corps program, statement on 54
- Operation Head Start, statement on 54
- Percent of Negro children, grades 1 and 8 (chart) 9
- Rate of growth, 1954–55, 1963–64 6
- Reduction in class size (elementary school) (chart) 18
- Statement by 45
- Statements and documents presented to Committee on Education and Labor 56
- Teacher salary scale (chart) 20
- Textbook fund—Local tax rate (chart) 29
- The child of limited background needs (chart) 31
- What further study of the child reveals (chart) 31
- What the teacher sees (chart) 30

FOREWORD BY THE CHAIRMAN

One of the more critical concerns of this country during the last few years has been racial segregation in public school systems. Ever since May 17, 1954, when the U.S. Supreme Court struck down the remaining legal barriers to equal education, there has been a national awareness that "separate but equal" educational facilities both stigmatizes a child and inhibits his ability to learn.

The confluence of that famed Court decision and subsequent supporting congressional legislation has helped to integrate school systems throughout the country. In order for public schools to qualify today for Federal assistance, they must now certify that they are no longer part of a de jure segregated system.

Segregation by law, however, is an open and notorious social pathology. It is easily recongizable and can be countermanded through the same legal procedures by which it was first instituted.

A far more difficult social problem to solve is the form of racial segregation whose roots are not nourished in the law, but instead germinate in the soil of social mores and custom. This is segregation in fact.

De facto segregation is as intellectually stultifying and impoverishing of the human spirit as de jure segregation. Whether a child goes to a segregated school because it is the result of social custom or whether he is forced by law to do so results in the same demeaning of character and crippling of his potential for learning. In some communities, court decisions have already taken judicial cognizance of this fact and have ruled that de facto racial segregation in public schools is contrary to public policy.

One State legislature has assumed leadership by passing a law declaring that de facto segregation in public schools is repugnant to the educational policies of the State and that local systems must adopt affirmative plans abolishing such segregation in order to qualify for continuing State assistance.

In every major urban center in America today, de facto segregation in public schools is an unhappy life. Whatever the divergent reasons for its existence in the major cities may be, particularly in the North, it does exist and only a recognition of this fact and a determination to change it will insure equal education to all pupils in all sections of the country.

Hopefully, future legislative consideration will be given to the hard core problem of de facto segregation. In so doing, we shall be taking one more giant step in successfully overcoming the cancer of poverty in our midst.

ADAM C. POWELL,
Chairman, Committee on Education and Labor.

DE FACTO SCHOOL SEGREGATION

TUESDAY, JULY 27, 1965

House of Representatives,
Ad Hoc Subcommittee on the
War on Poverty Program of the
Committee on Education and Labor,
Washington, D.C.

The ad hoc subcommittee met at 10 a.m., pursuant to call, in room 2175, Rayburn House Office Building, Hon. Adam C. Powell (chairman of the ad hoc subcommittee) presiding.

Present: Representatives Powell, Hawkins, Mink, Scheuer, Roosevelt, Pucinski, Hathaway, Meeds, Ayres, Quie, and Reid.

Also present: Chuck Stone, special assistant to the chairman; Michael Schwartz and Donald Anderson, assistant counsels; and Odell Clark, chief investigator.

Chairman Powell. The hearings will come to order.

May I extend a cordial welcome to the citizens and officials of Chicago who have taken time out of their busy schedules to testify at these important hearings.

The hearings are single-purposed in intent: to examine the problem of de facto school segregation in the North and the extent to which its existence is a matter of legislative concern for the Committee on Education and Labor.

These hearings are not a legislative inquisition, nor do they seek educational scapegoats or sociological whipping boys. Their sole raison d'être is the search for truth. It is the committee's earnest expectation that information gathered during these hearings which began in New York last Saturday, which will continue in Los Angeles on August 7, will provide constructive guidelines to future legislative deliberations in the field of education.

By no means is Chicago being singled out in this inquiry into northern de facto school segregation. My hometown, New York City, and every major northern city in the United States suffers from the historical accumulations of residential segregation and occasional deliberate official action by both city administrations and school boards.

These hearings are not being held in Chicago and were postponed because of the ceremonies there honoring our great citizen, Mr. Stevenson, and the 3-day period of mourning which coincided at the same time; and due to the fact that my friend, Dr. Martin Luther King, in conference with me here on Wednesday, said that he was going to be walking around Chicago this past weekend.

More important, however, than restating the problem, is finding a solution. We hope these hearings achieve that end.

Chicago can and should be proud that such a distinguished array of citizens have consented to appear before this committee. Through their testimony, they are rendering a selfless public service to their city and to their country.

Again, I am happy to welcome all of you here today.

Now, a word to the witnesses. Initially, we had hoped to conclude these hearings in 1 day, continuing through this afternoon. However, as many of you know, legislation repealing section 14(b) of the right-to-work section of the National Labor Relations Act is now on the House floor; 14(b) is perhaps our most important piece of legislation that the Congress is discussing. Therefore, we will not be able to sit, since it is against the House rules for a committee or subcommittee to sit while the House is in session, unless unanimous consent is obtained. In view of the importance of 14(b), I would not ask for unanimous consent. I intend to be on the floor, because that comes from our committee.

I am requesting the witnesses to limit their presentations. They can file whatever copy they have with them, and it will be in the record, and limit their oral presentations to permit questioning, which will permit as many witnesses as possible to testify.

I hope it will be possible for the remaining witnesses to return tomorrow morning to complete the hearings. The chief clerk has been instructed to provide per diem as of yesterday, because you had to arrive last night and stay today, and if you will stay tomorrow, then per diem for tomorrow, plus round trip air fare.

Mr. Roosevelt.

Mr. **Roosevelt**. I would like to say that I think that this is a most important hearing, and I am more than pleased that these distinguished citizens of Chicago can be here.

The whole area of de facto segregation in the public schools of this country, of course, bears directly and goes directly to the heart of our whole problem of discrimination and bias. I am more than happy, therefore, that we are having these hearings.

As the chairman arranged for hearings in New York and hearings which will be held in Los Angeles, it is obvious, I think, that as the chairman said, we are not on a fishing expedition, but we are certainly not primarily interested in one section; we are trying to make it a national appraisal, and I am happy that this hearing is going forward today and tomorrow.

Chairman **Powell**. The ranking Republican member, the gentleman from Ohio, Mr. Ayres.

Mr. **Ayres**. Mr. Chairman, I would like to commend you and the other members of the committee who have been so active in this field. I do not know what the result will be. However, I think it is the responsibility of Congress to gather information. We are dealing with a very delicate situation, a very important problem facing our Nation. I hope that something constructive will be forthcoming.

Chairman **Powell**. The gentleman from Illinois, Mr. Pucinski.

Mr. **Pucinski**. I would like to join in congratulating the chairman for arranging these hearings. I think impressive as the record is of this committee, certainly the chairman has already assured himself a place in history when it comes to educational legislation. This set of hearings could, indeed, be one of the most important adventures of this committee.

The problem of de facto segregation is one that confronts every community in America. It is entirely possible that by assembling this information from the city of Chicago, and that as the testimony is presented here, we can understand this complex problem. It is my hope that when the record is completed in this set of hearings affecting Chicago, that all sides will realize how very complicated is this problem, and will return back to their respective cities, sit down around a table, and work these problems out in an orderly manner.

I would also like, as the hearings proceed, to get some thinking from these witnesses on the suggestion that I made yesterday. We know that one of the problems in de facto segregation is the quality of education. It has been suggested, and I suggested yesterday, that we give some consideration to an incentive bonus in order to get the better teacher, the more qualified teacher, into these areas, these culturally deprived areas, so that perhaps we can make some contribution toward improving the quality of education in these areas.

Mr. Chairman, I would like to congratulate you for assembling this very impressive list of witnesses to start our committee's nationwide hearings on this very important subject.

Chairman POWELL. Thank you.

The gentleman from New York, Mr. Ogden Reid.

Mr. REID. Mr. Chairman, I, too, would like to commend you for calling these extremely important hearings, to ascertain both with regard to Chicago and ultimately throughout the Nation whether there is de facto segregation in this case in Chicago, and if there is, whether it is on the increase, what are the factors that make for it.

Is it administrative inaction, is it due to changing residential patterns, and what, above all, should be done about it? How can we achieve further planning, and the best educational system and educational excellence for all Americans?

This is a subject that should, I believe, engage the conscience of the Nation, and the best minds that can be brought to bear, so that all children will have an equal opportunity for maximizing their educational potential.

Chairman POWELL. Thank you, and also may I thank you publicly for coming with the chairman to New York last Saturday when we held our first hearing on the streets of New York.

Mr. Hawkins of California.

Mr. HAWKINS. Mr. Chairman, I, too, want to commend you for calling this hearing. I think that it is long overdue.

I know that in my own city of Los Angeles, segregation in the schools is far worse than what it was in 1954. I think that the same may be true in other major American cities. There are those who believe that this is not an educational problem, but I think that these hearings must, of course, bring out the facts, and certainly the philosophy of whether or not education can ignore this problem.

I commend you on holding this hearing, and secondly, the witnesses who will appear to testify, and I think that this committee should get into this problem. We certainly hope it will include Los Angeles, as well.

Chairman POWELL. The gentleman from Maine, Mr. Hathaway.

Mr. HATHAWAY. Mr. Chairman, I, too, commend you for initiating these hearings on such a challenging problem, and I am looking forward to listening to the testimony from such an impressive array of witnesses.

Chairman **Powell**. The gentlelady from Hawaii.

Mrs. **Mink**. Thank you, Mr. Chairman.

I would like to join in the remarks of my colleagues and indicate also my very intense interest in the whole area of equality of education. Having spent some 5 years in Chicago, I await with a geat deal of interest the facts and explanations of what the situation is currently in Chicago.

Thank you, Mr. Chairman.

Chairman **Powell**. The gentleman from New York, Mr. Scheuer.

Mr. **Scheuer**. Mr. Chairman, thank you for giving us this stimulating array of excellence, the distinguished witnesses from Chicago.

Without prejudging the testimony, what may come out of this hearing is knowledge that all of us have today and have had for many years, namely, that society is a seamless web and that a breakdown in any constituent element in our society weakens the whole. Where we have less than the best in terms of equality of opportunity, whether it be in housing, employment, education, or access to public facilities or services of all kinds, or where there is a diminution anywhere in the right of free Americans to participate freely and equally in the best our society has to offer, there is a crippling of individuals, and a crippling of society as a whole.

I look forward with great pleasure to hearing these eminent men whom you have gathered here for our edification.

Chairman **Powell**. The gentleman from Washington, Mr. Meeds.

Mr. **Meeds**. Mr. Chairman, I, too, join my colleagues in commending you for this hearing. It is my feeling that this hearing and this type of hearing will give us great insight into some of the greatest problems facing our educational system.

Chairman **Powell**. Now, with regard to the logistics of the hearings. We have scheduled with us Dr. Willis, general superintendent of Chicago schools; Dr. Philip M. Hauser, chairman of the Department of Sociology, University of Chicago, and chairman of the Advisory Panel on Integration of the Public Schools, who will file a report; Attorney Raymond Harth, president of the Illinois Branch of the NAACP; Mrs. Alice Bosky, president of Mothers Opposed to Meddling in the Schools; Mr. Al Raby, convener of the Coordinating Council of Community Organizations; and Mr. Timuel Black, president of the Chicago Branch, Negro American Labor Council.

If there are any other witnesses that have any statements, they can file them, but they will not be allowed to present them. Inasmuch as Dr. Hauser cannot stay and must leave, I am going to ask that Dr. Willis cooperate with us and see if he can limit his testimony to 1 hour, that is, his testimony and questions, and conclude at 11:10.

Dr. Willis, I want to welcome you here, and we look forward to anything constructive that you may offer.

Will you proceed?

STATEMENT OF BENJAMIN C. WILLIS, GENERAL SUPERINTENDENT OF PUBLIC SCHOOLS OF CHICAGO, ACCOMPANIED BY DR. VIRGINIA LEWIS, ASSISTANT SUPERINTENDENT OF SCHOOLS; MRS. LOUISE DAUGHERTY, DISTRICT SUPERINTENDENT; DR. EILEEN STACK, ASSOCIATE SUPERINTENDENT OF SCHOOLS; MRS. EVELYN CARLSON, ASSOCIATE SUPERINTENDENT OF SCHOOLS; JULIEN DRAYTON, ASSISTANT SUPERINTENDENT OF SCHOOLS; AND MISS DOROTHY SAUER, PRINCIPAL OF A HIGH SCHOOL

Mr. WILLIS. Thank you, Congressman Powell and members of the committee.

I am Benjamin C. Willis, general superintendent of the public schools of Chicago.

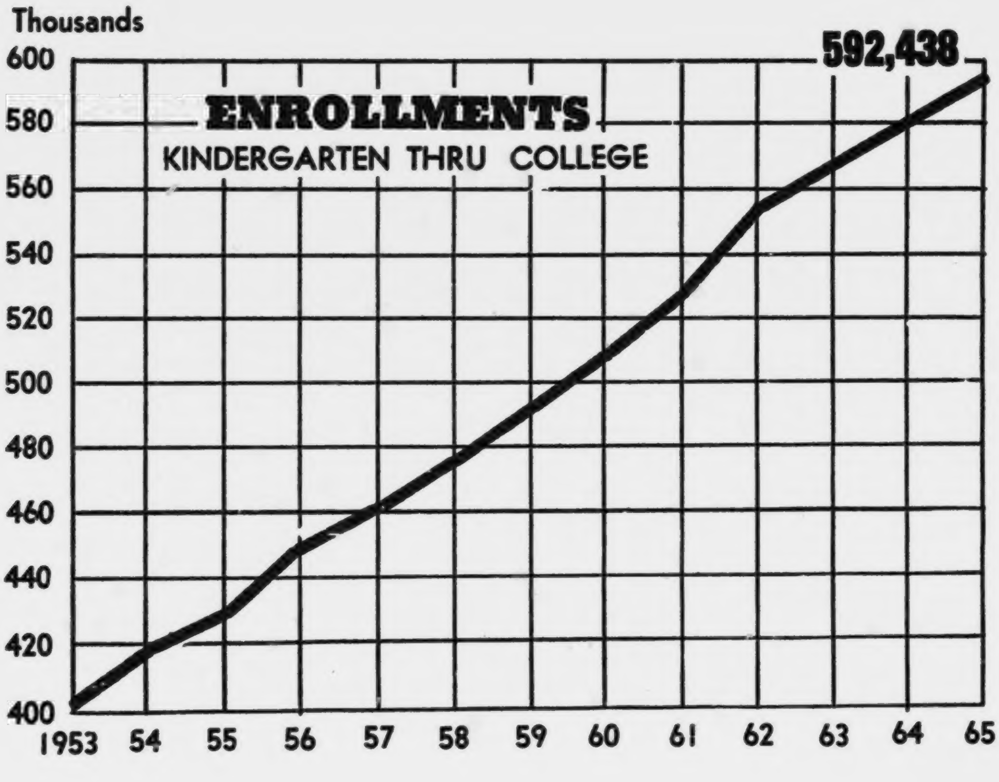
It is our intention to briefly present the statement which you have before you, but not to the point of not showing you some charts which illustrate possibly more so than words some of the ideas in this paper.

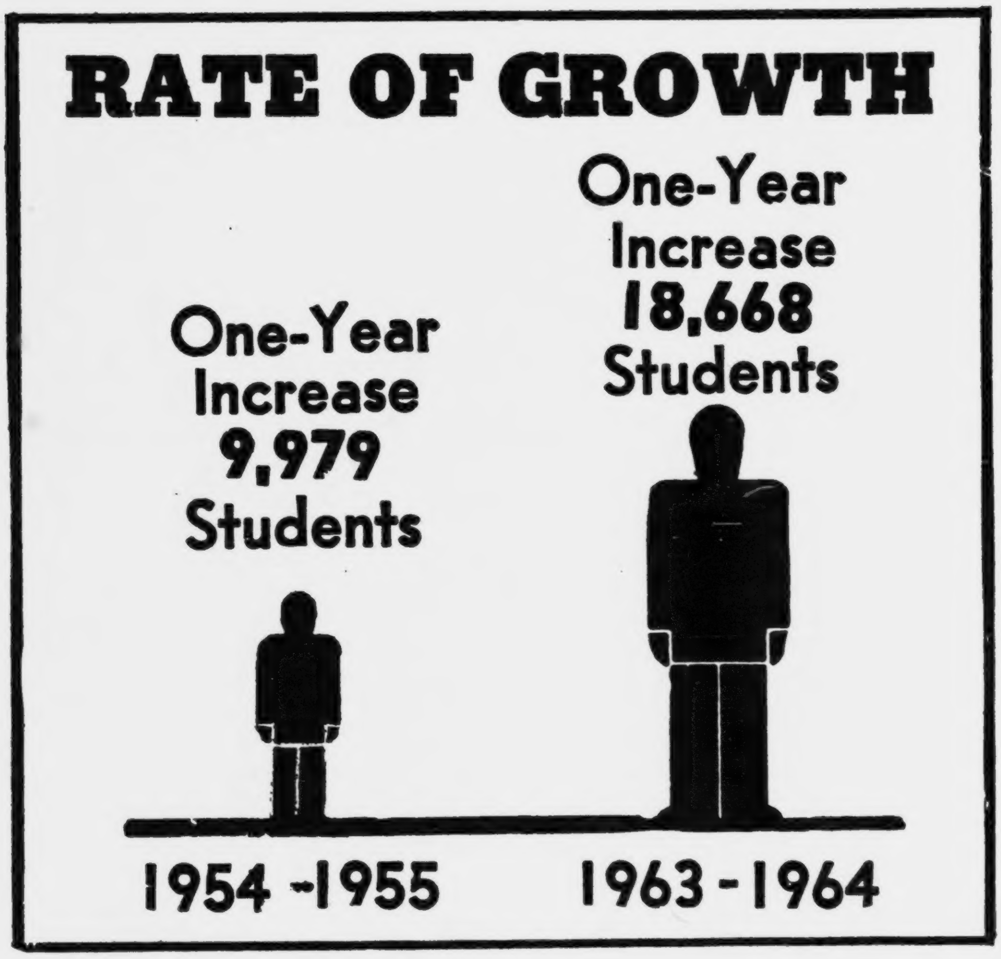
Chairman POWELL. Without objection, the charts that you have will be included in the record.

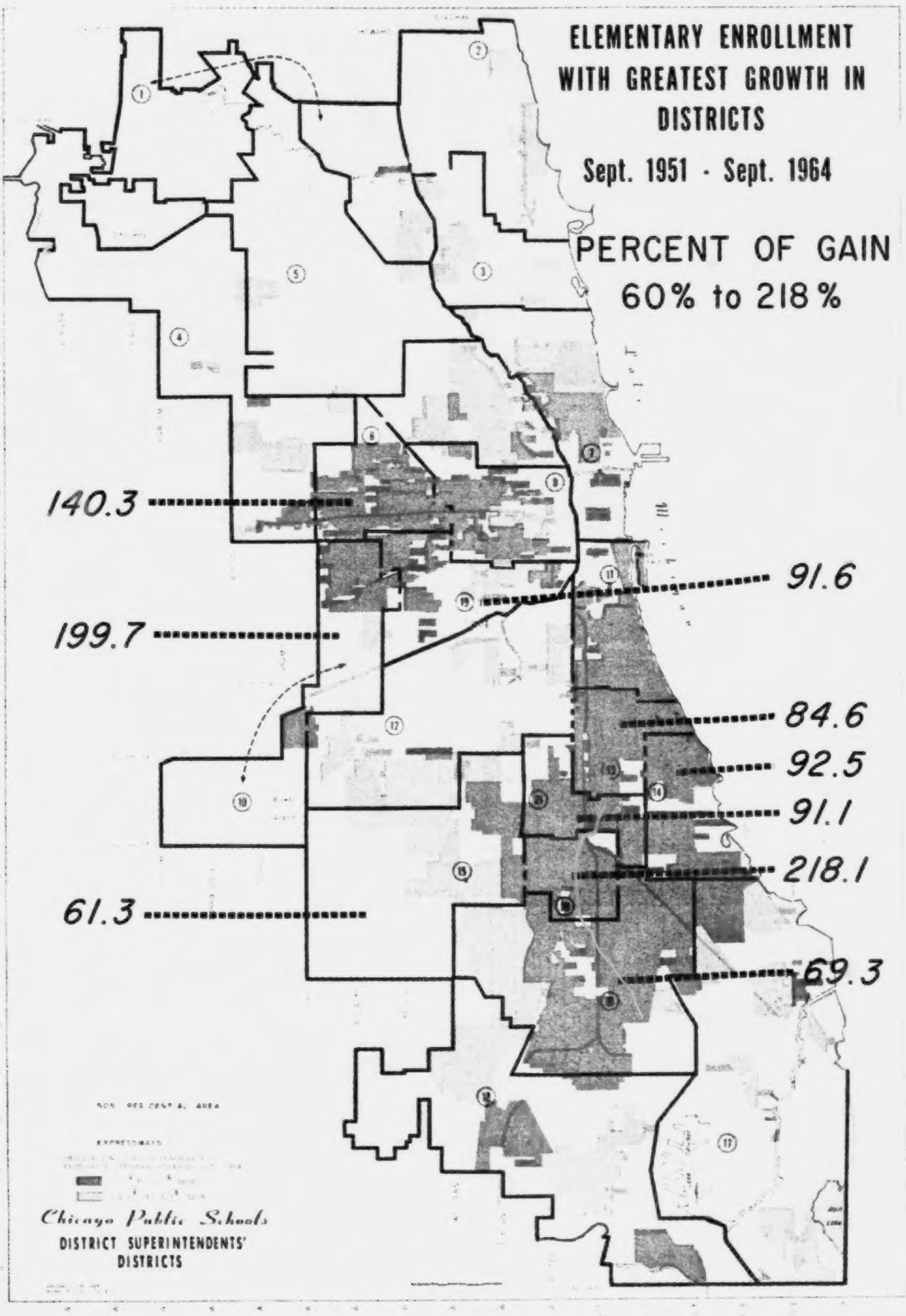
Mr. WILLIS. I may say that I have smaller copies of what you will see on these easels, and I might also add that I have several members of the staff here who have lived along with me through many of the problems and challenges of Chicago, and I should like to introduce them.

Chairman POWELL. It is so granted.

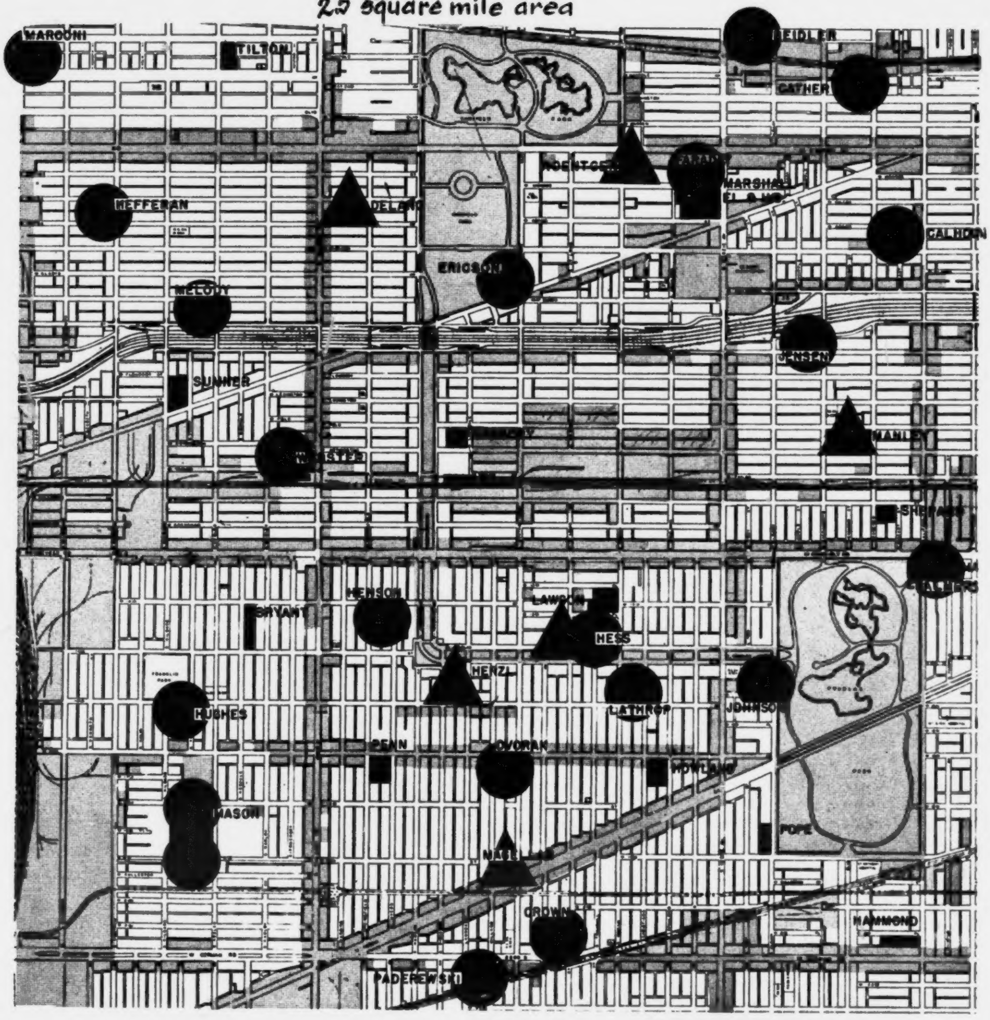
(The charts referred to follow:)




RATE OF GROWTH
One-Year Increase 9,979 Students
One-Year Increase 18,668 Students
1954 -1955
1963 - 1964


ELEMENTARY ENROLLMENT WITH GREATEST GROWTH IN DISTRICTS
Sept. 1951 - Sept. 1964
PERCENT OF GAIN
60% to 218%
140.3
199.7
61.3
91.6
84.6
92.5
91.1
218.1
69.3
Chicago Public Schools
DISTRICT SUPERINTENDENTS' DISTRICTS

ENROLLMENT — SCHOOLS
1953 - 1965
25 square mile area


MARCONI
TILTON
HEIDLER
CATHER
MARSHALL
HEFFERAN
CALHOUN
ERICSON
MELODY
JENSEN
SUMNER
WEBSTER
MANLEY
HENSON
BRYANT
LAWSON
HESS
HENZL
LATHROP
JOHNSON
HUGHES
PENN
DVORAK
HOWLAND
MASON
POPE
CROWN
HAMMOND
PADEREWSKI

LEGEND

● New Schools

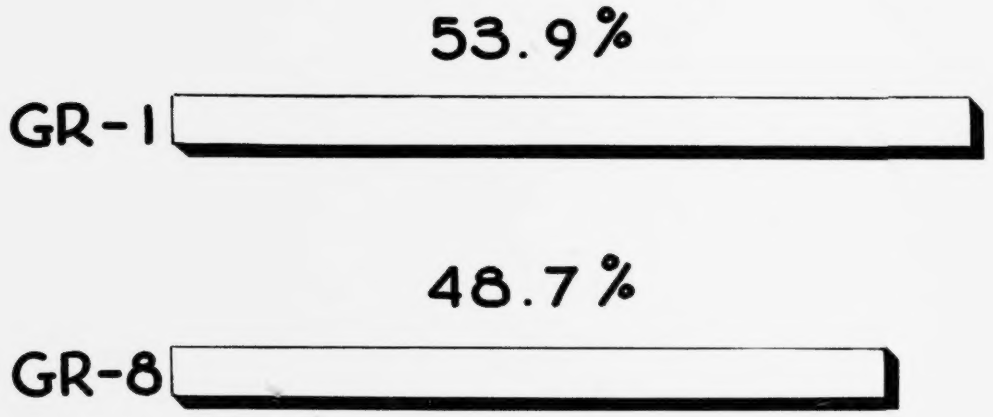
▲ Acquired for Elementary School Use

▨ Non-residential

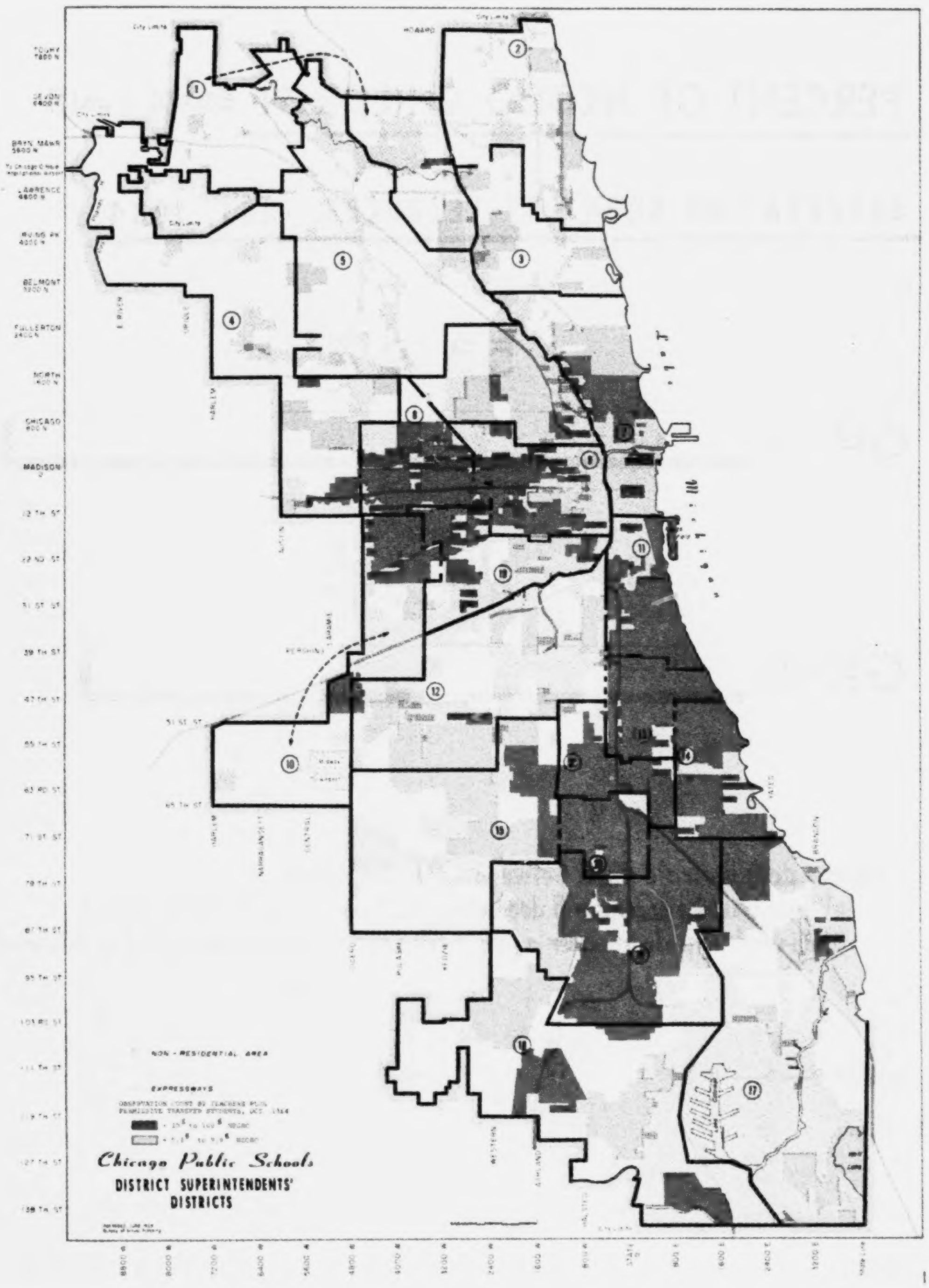
	ELEMENTARY SCHOOLS	PUPILS
1953	17	20,414
1965	40	51,574

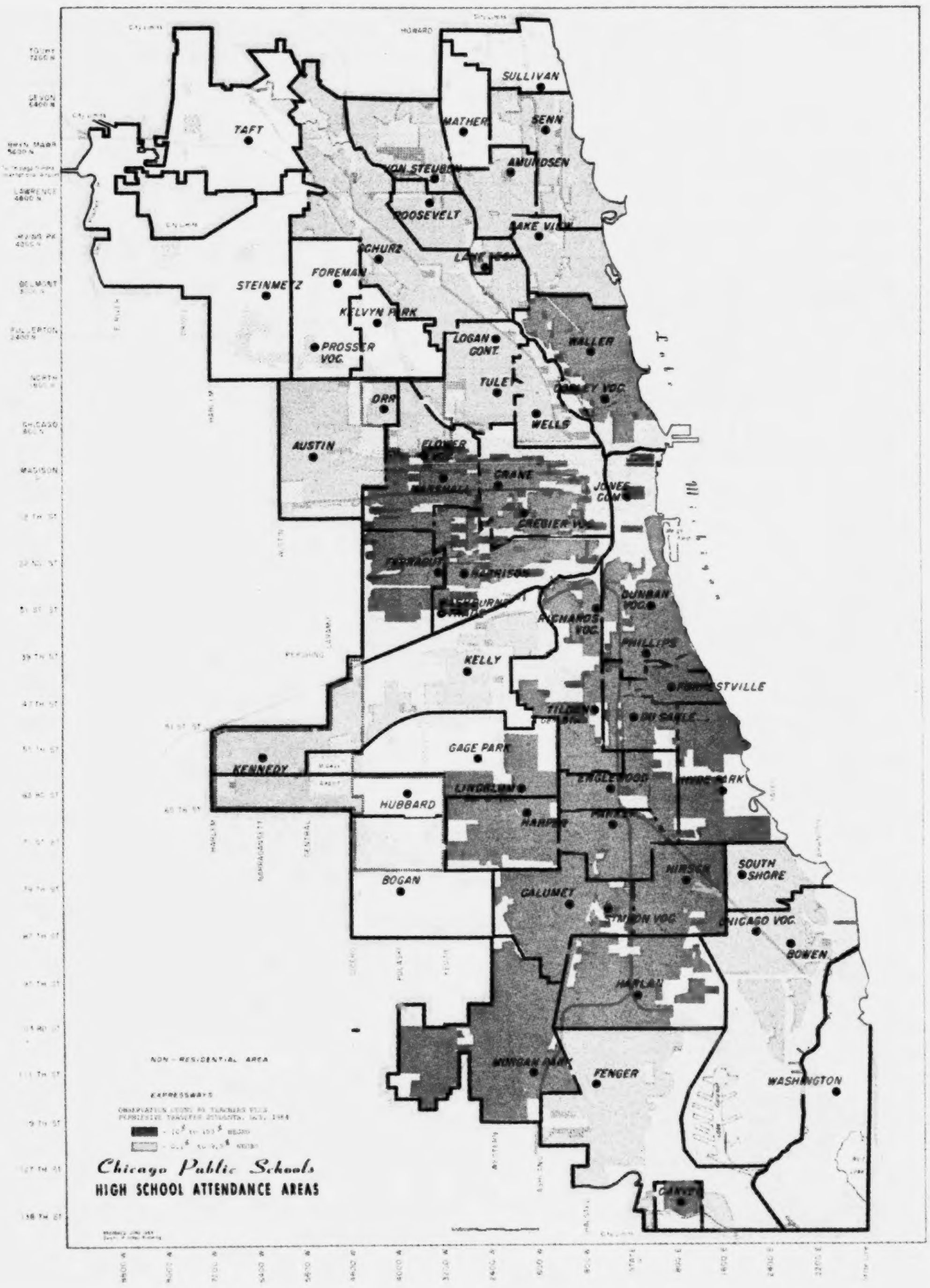
PERCENT OF NEGRO CHILDREN GRADE 1 and 8

OBSERVATION COUNT BY TEACHERS, OCT. 1964



Census data indicate that between 1950 and 1960
- White children under age 5 decreased by 8 percent (22,643 children)
- Non-white children under age 5 increased by 141 percent (76,139 children)


TOUHY 7200 N
DEVON 6400 N
BRYN MAWR 5600 N
LAWRENCE 4800 N
IRVING PK 4000 N
BELMONT 3200 N
FULLERTON 2400 N
NORTH 1600 N
CHICAGO 800 N
MADISON 0
12 TH ST
22 ND ST
31 ST
39 TH ST
47 TH ST
55 TH ST
63 RD ST
71 ST
79 TH ST
87 TH ST
95 TH ST
103 RD ST
111 TH ST
119 TH ST
127 TH ST
138 TH ST
HOWARD
City Limits
PERSHING
51 ST
65 TH ST
HARLEM
CENTRAL
WESTERN
ASHLAND
HALSTED
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
NON-RESIDENTIAL AREA
EXPRESSWAYS
Chicago Public Schools
DISTRICT SUPERINTENDENTS' DISTRICTS
8800 W
8000 W
7200 W
6400 W
5600 W
4800 W
4000 W
3200 W
2400 W
1600 W
800 W
STATE 0
800 E
1600 E
2400 E
3200 E


SULLIVAN
SENN
MATHER
TAFT
AMUNDSEN
VON STEUBEN
ROOSEVELT
LAKE VIEW
LANE TECH
SCHURZ
FOREMAN
STEINMETZ
KELVYN PARK
PROSSER VOC.
LOGAN CONT.
WALLER
TULEY
COOLEY VOC.
WELLS
ORR
AUSTIN
FLOWER VOC.
MARSHALL
CRANE
JONES COM.
CREGIER VOC.
FARRAGUT
HARRISON
WASHBURNE TRADE
DUNBAR VOC.
RICHARDS VOC.
PHILLIPS
KELLY
FORRESTVILLE
TILDEN TECH
DU SABLE
GAGE PARK
KENNEDY
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LINDBLOM
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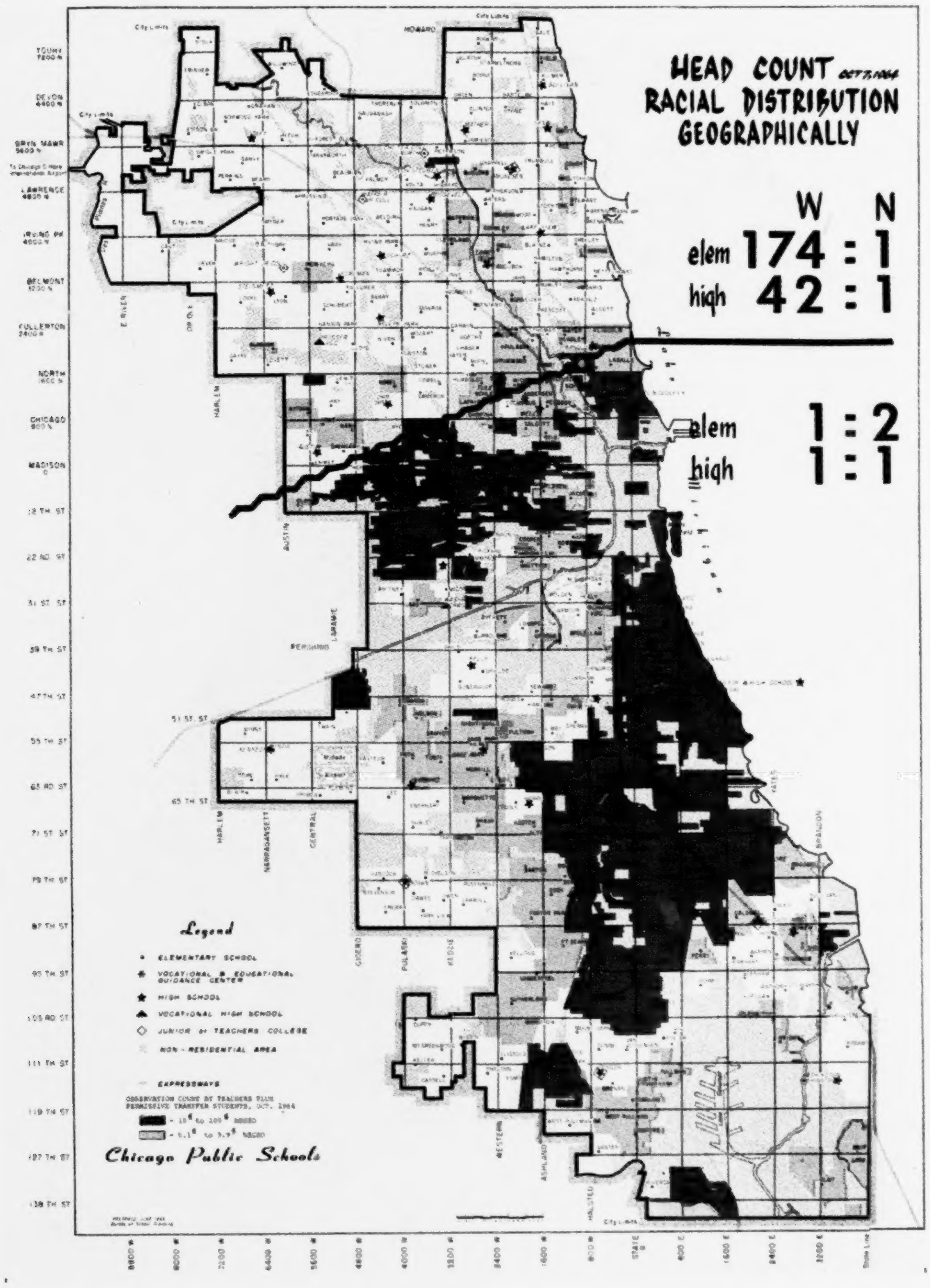
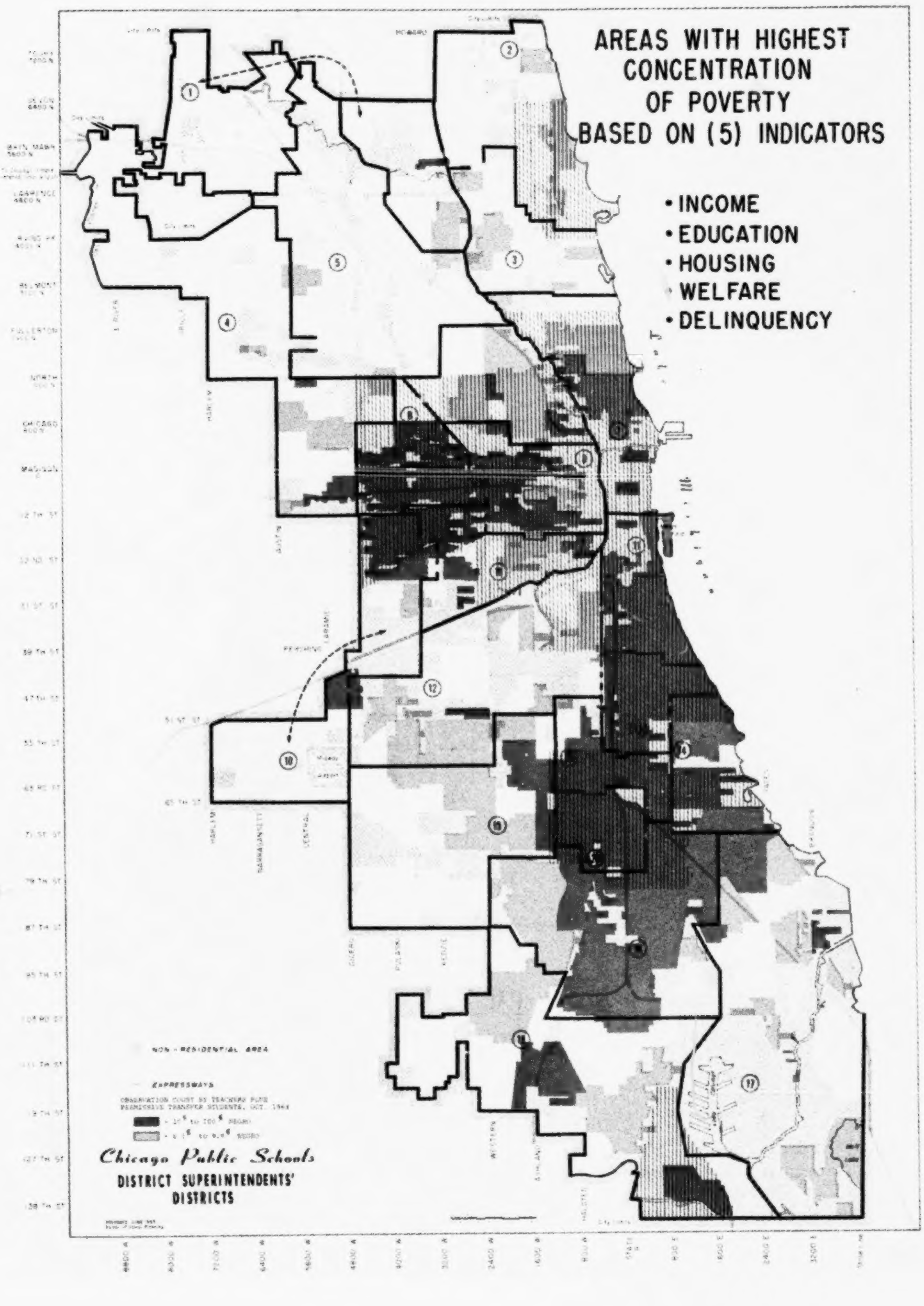
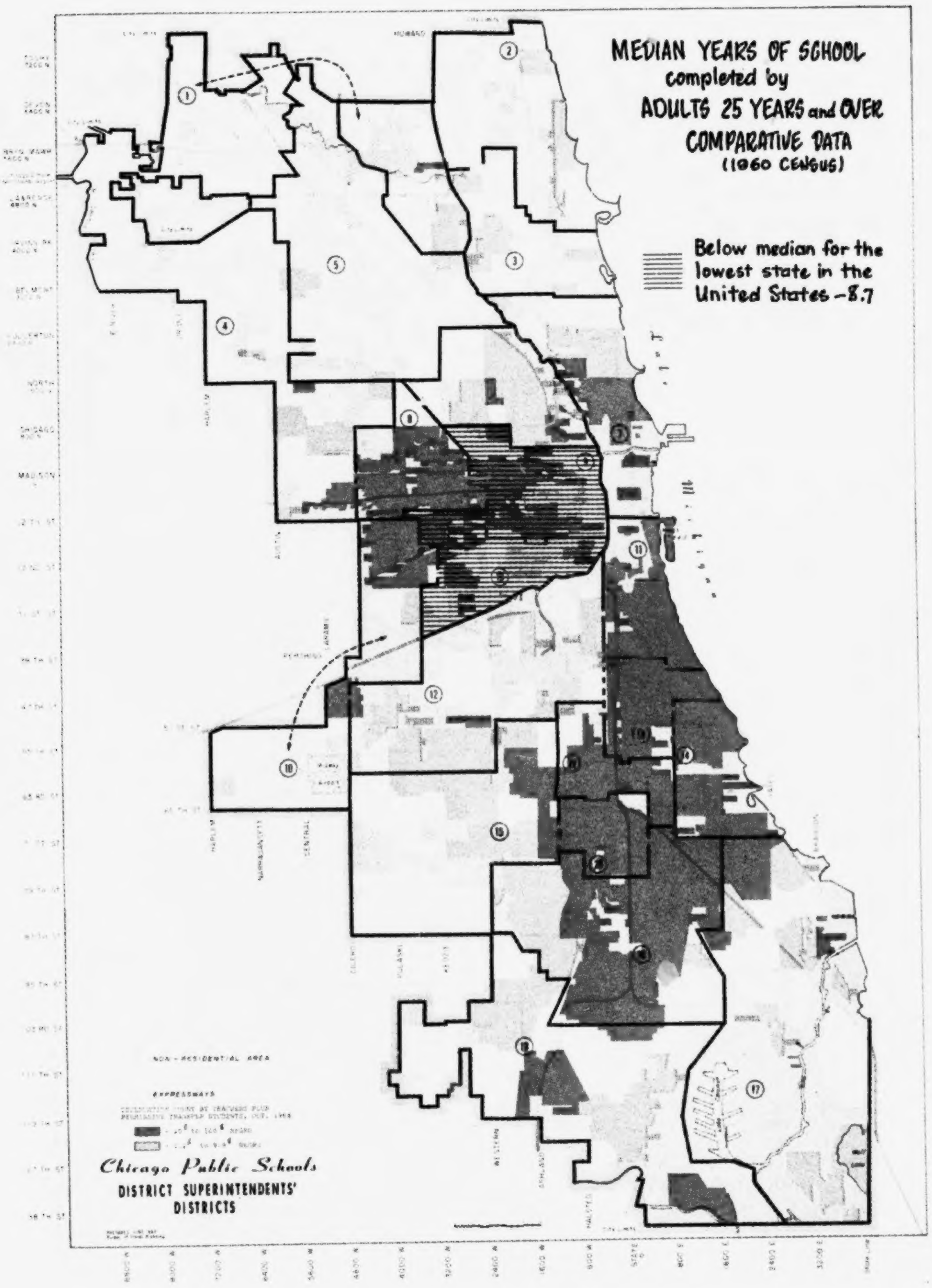
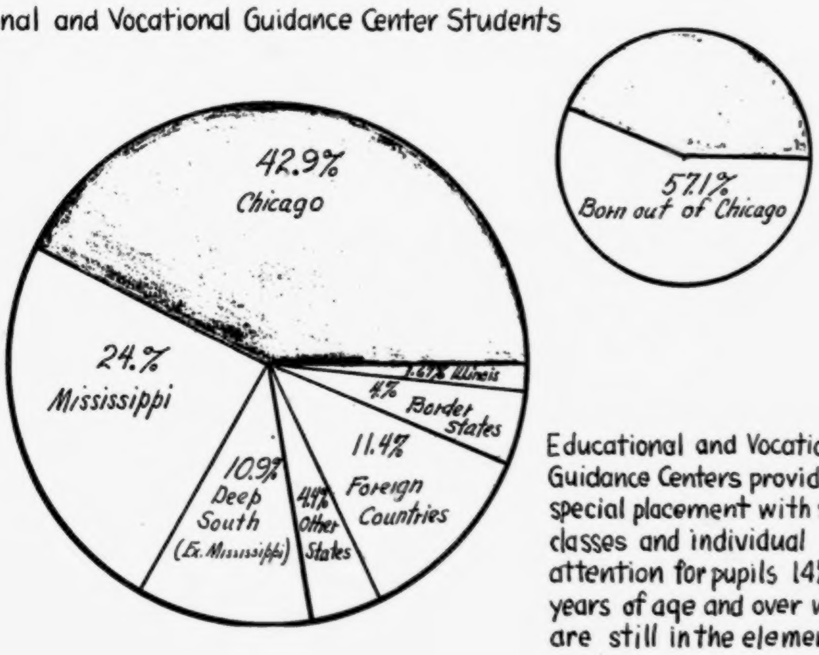
Chicago Public Schools
HIGH SCHOOL ATTENDANCE AREAS


HEAD COUNT OCT 7, 1964
RACIAL DISTRIBUTION
GEOGRAPHICALLY
W N
elem 174 : 1
high 42 : 1
elem 1 : 2
high 1 : 1
Legend
ELEMENTARY SCHOOL
VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
HIGH SCHOOL
VOCATIONAL HIGH SCHOOL
JUNIOR or TEACHERS COLLEGE
NON - RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS PLUS PERMISSIVE TRANSFER STUDENTS, OCT. 1964
- 10% to 100% NEGRO
- 0.1% to 9.9% NEGRO
Chicago Public Schools
City Limits
HOWARD
TOUHY 7200 N
DEVON 6400 N
BRYN MAWR 5600 N
LAWRENCE 4800 N
IRVING PK 4000 N
BELMONT 3200 N
FULLERTON 2400 N
NORTH 1600 N
CHICAGO 800 N
MADISON 0
12 TH ST
22 ND ST
31 ST ST
39 TH ST
47 TH ST
51 ST ST
55 TH ST
63 RD ST
65 TH ST
71 ST ST
79 TH ST
87 TH ST
95 TH ST
103 RD ST
111 TH ST
119 TH ST
127 TH ST
138 TH ST
HARLEM
AUSTIN
LARAMIE
PERSHING
NARRAGANSETT
CENTRAL
CICERO
PULASKI
KEDZIE
WESTERN
ASHLAND
HALSTED
STATE
YATES
BRANDON
8800 W
8000 W
7200 W
6400 W
5600 W
4800 W
4000 W
3200 W
2400 W
1600 W
800 W
STATE 0
800 E
1600 E
2400 E
3200 E
State Line


AREAS WITH HIGHEST
CONCENTRATION
OF POVERTY
BASED ON (5) INDICATORS
• INCOME
• EDUCATION
• HOUSING
• WELFARE
• DELINQUENCY
NON-RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS PLUS PERMISSIVE TRANSFER STUDENTS, OCT. 1964
Chicago Public Schools
DISTRICT SUPERINTENDENTS' DISTRICTS


MEDIAN YEARS OF SCHOOL
completed by
ADULTS 25 YEARS and OVER
COMPARATIVE DATA
(1960 CENSUS)
Below median for the lowest state in the United States – 8.7
NON-RESIDENTIAL AREA
EXPRESSWAYS
Chicago Public Schools
DISTRICT SUPERINTENDENTS' DISTRICTS
①
②
③
④
⑤
⑧
⑩
⑪
⑫
⑯
⑰
⑱

Birthplace of
Educational and Vocational Guidance Center Students



Educational and Vocational Guidance Centers provide special placement with small classes and individual attention for pupils 14½ years of age and over who are still in the elementary grades

IB PUPIL DATA - FALL, 1963

Percentages of Beginning First Grade Pupils
at Varying Levels of Readiness for School Instruction

School Districts and City

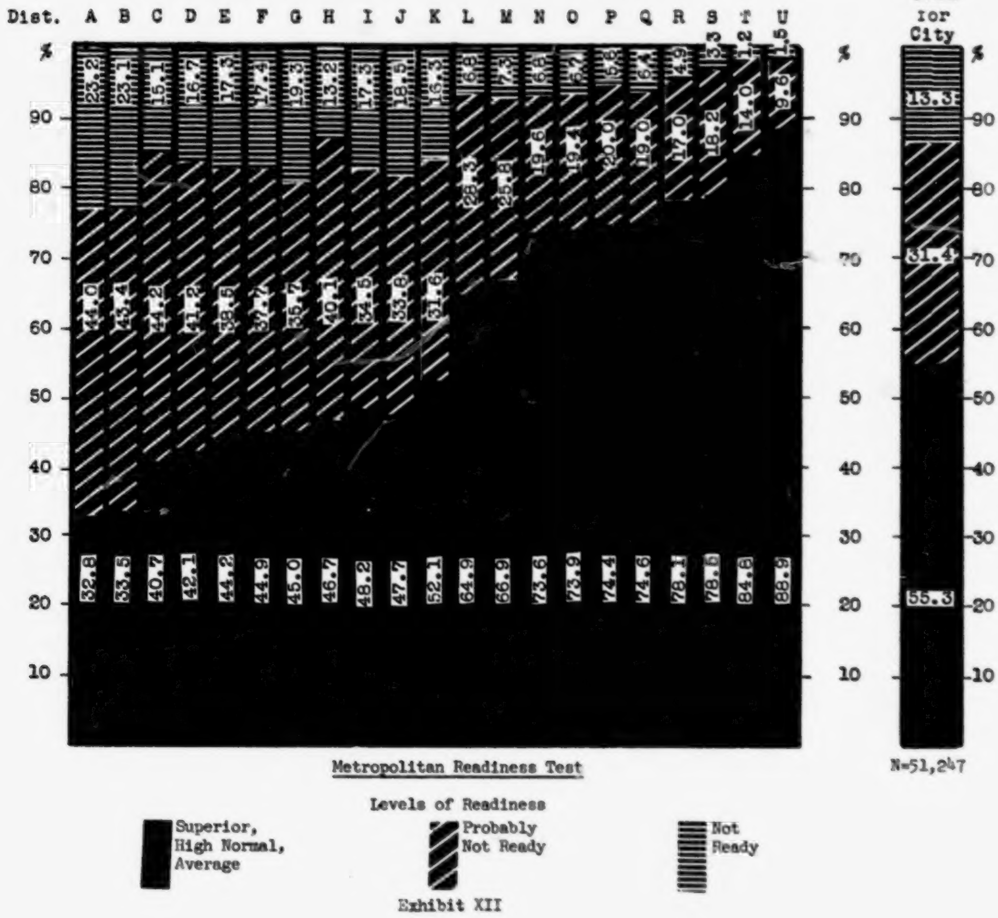
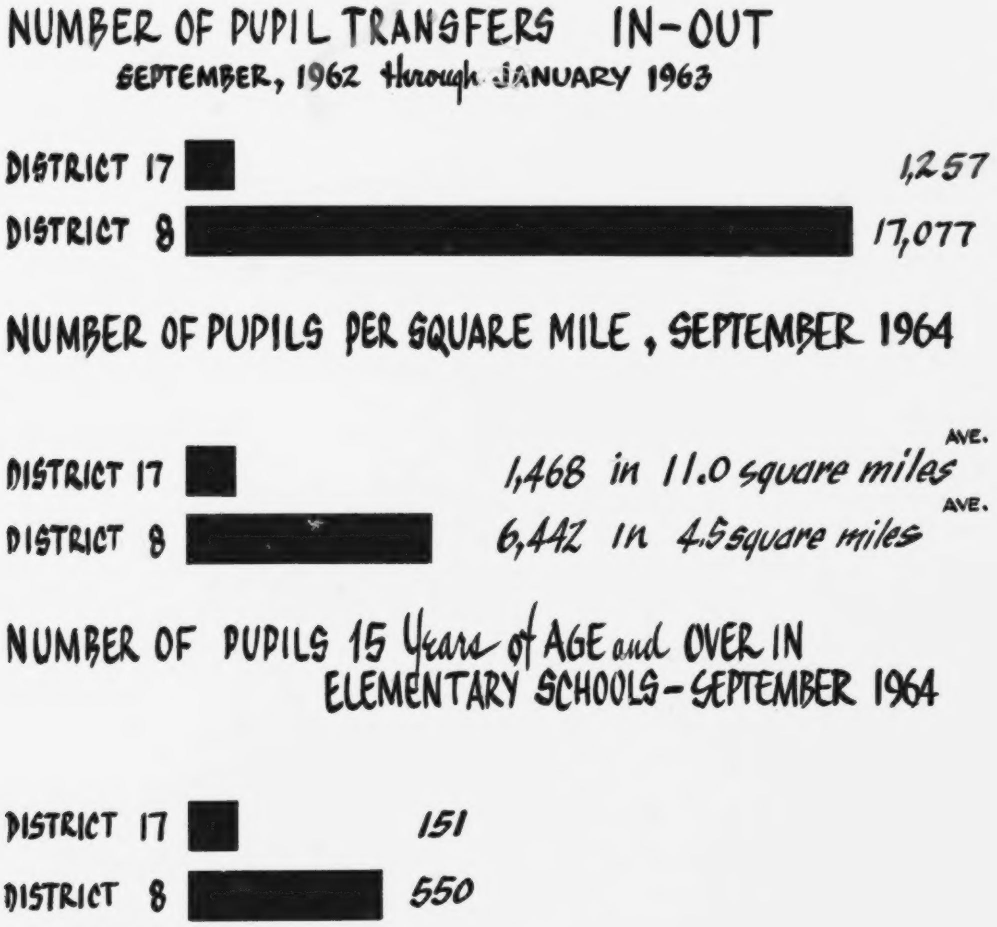
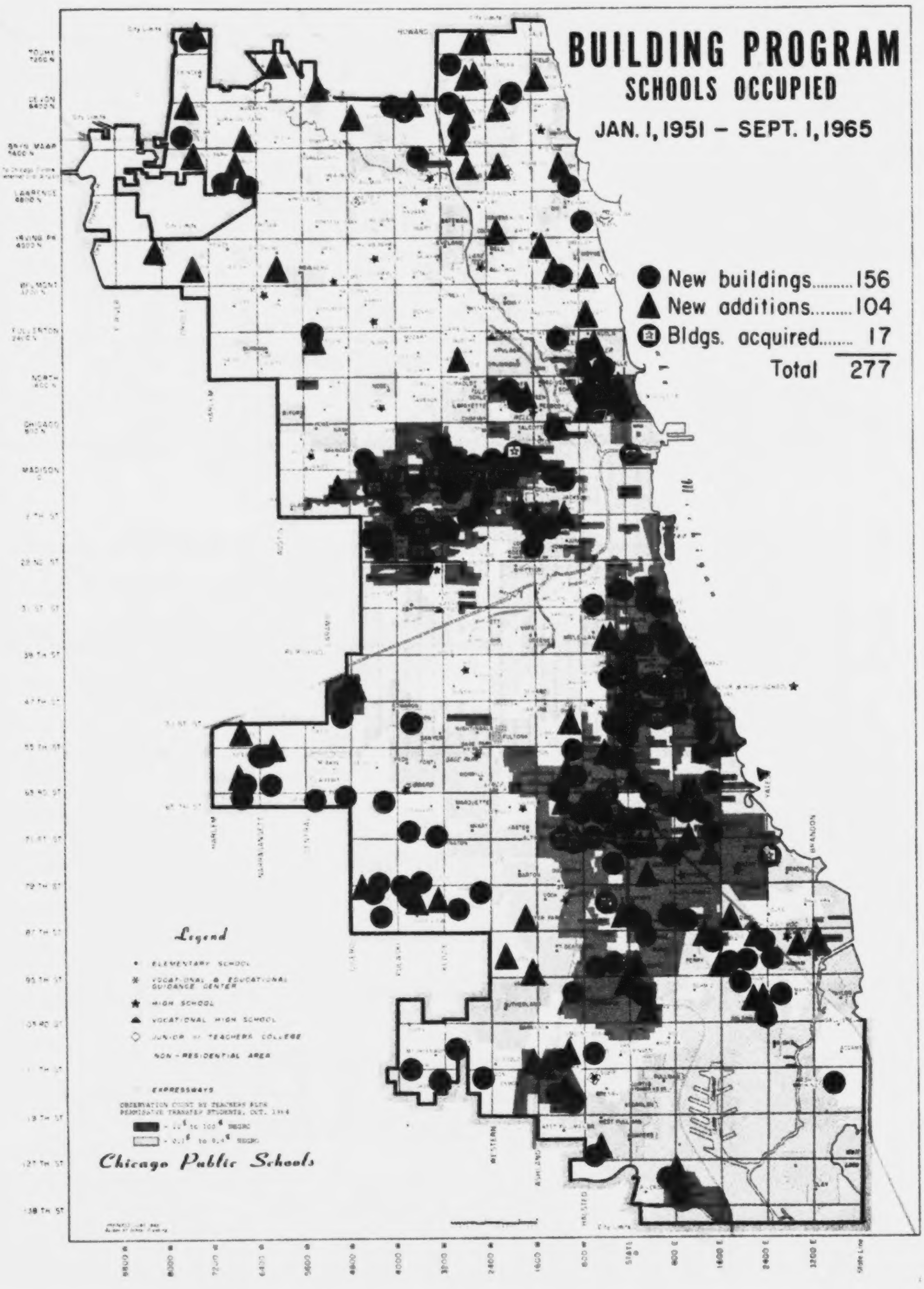
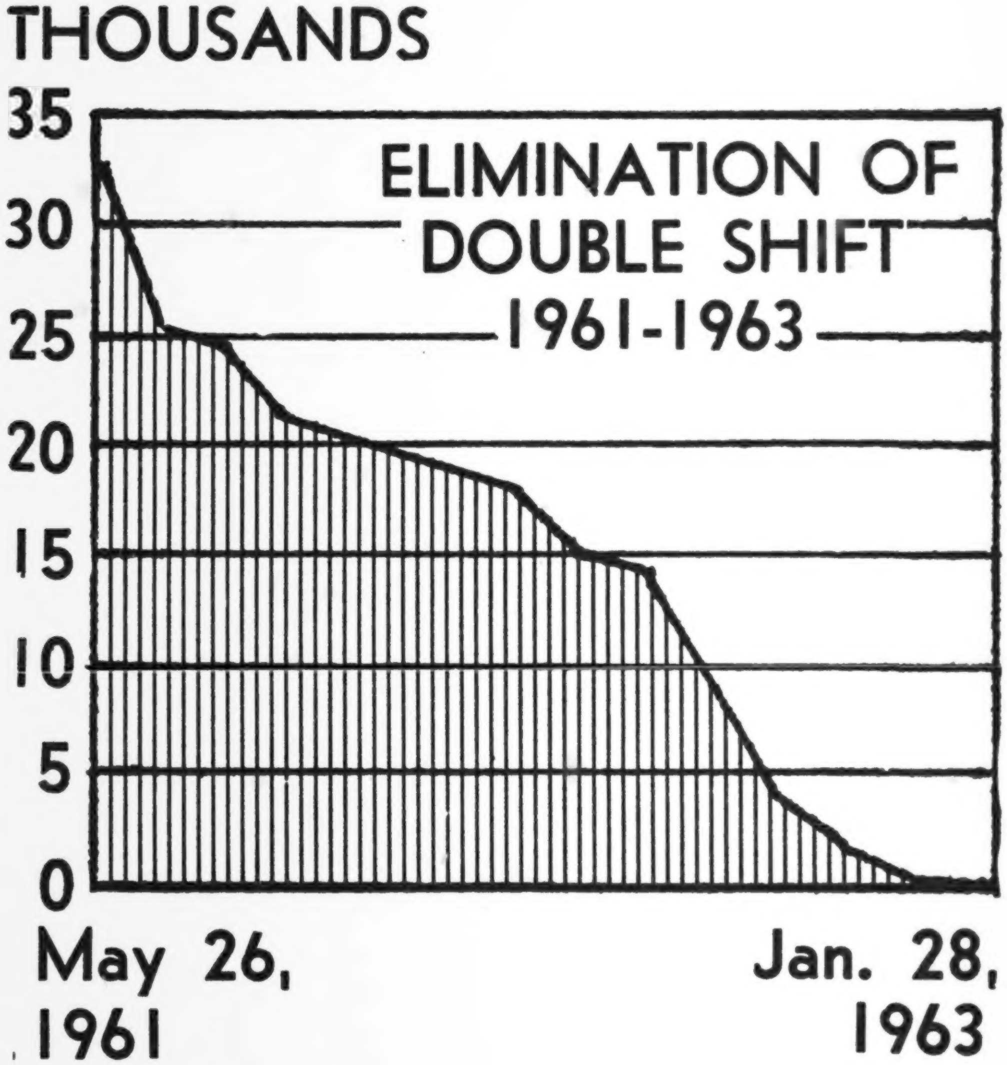


Exhibit XII

CONTRASTING DISTRICT DATA

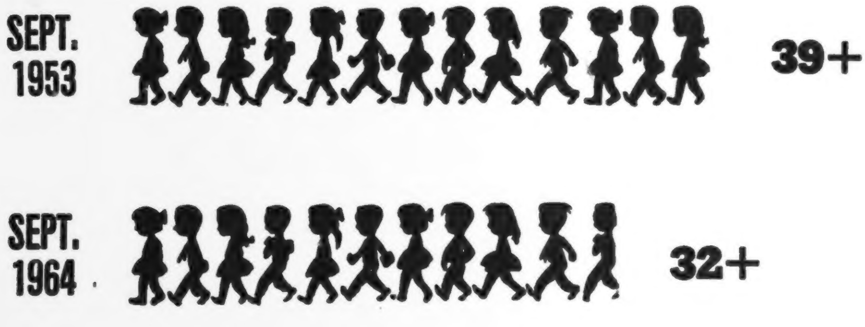



BUILDING PROGRAM
SCHOOLS OCCUPIED
JAN. 1, 1951 – SEPT. 1, 1965
● New buildings..........156
▲ New additions.........104
⊡ Bldgs. acquired....... 17
Total 277
Legend
ELEMENTARY SCHOOL
VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
HIGH SCHOOL
VOCATIONAL HIGH SCHOOL
JUNIOR HI TEACHERS COLLEGE
NON-RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS PLUS PERMISSIVE TRANSFER STUDENTS, OCT. 1964
Chicago Public Schools

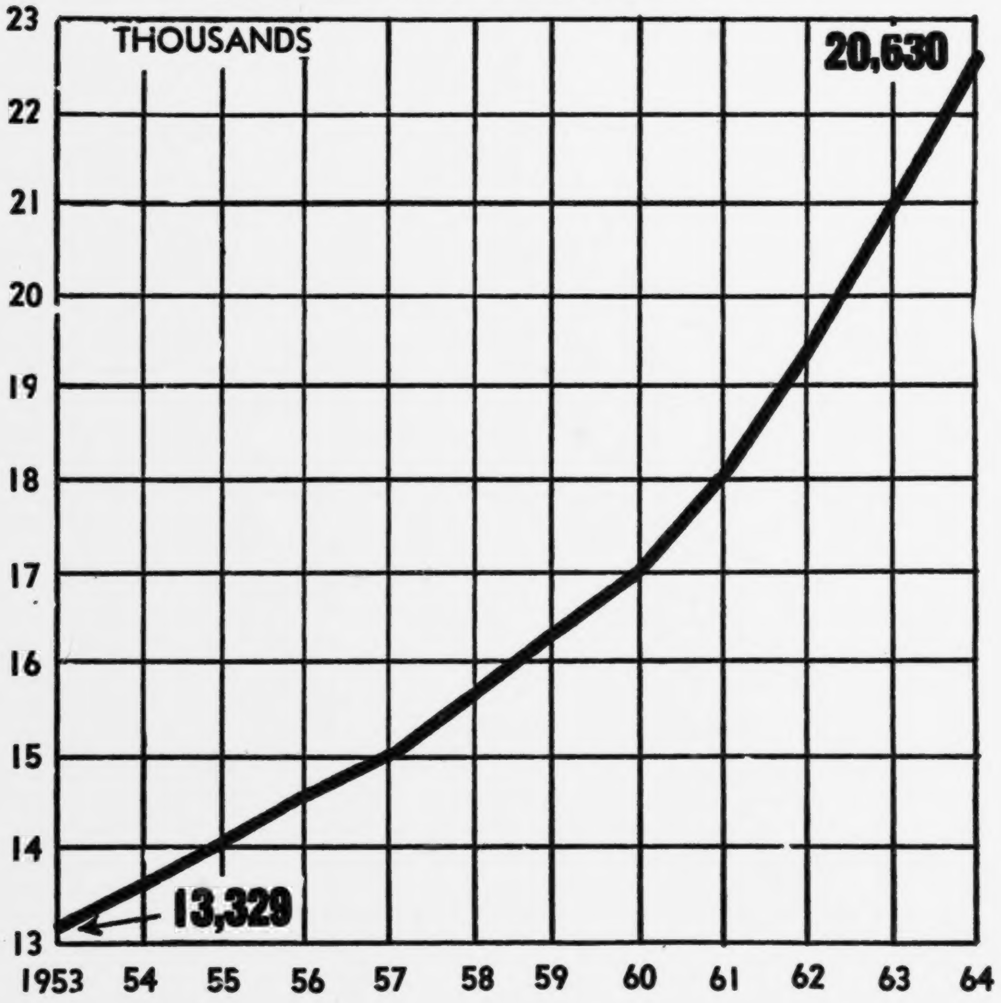


ELIMINATION OF DOUBLE SHIFT 1961-1963

REDUCTION IN CLASS SIZE (Elementary School)

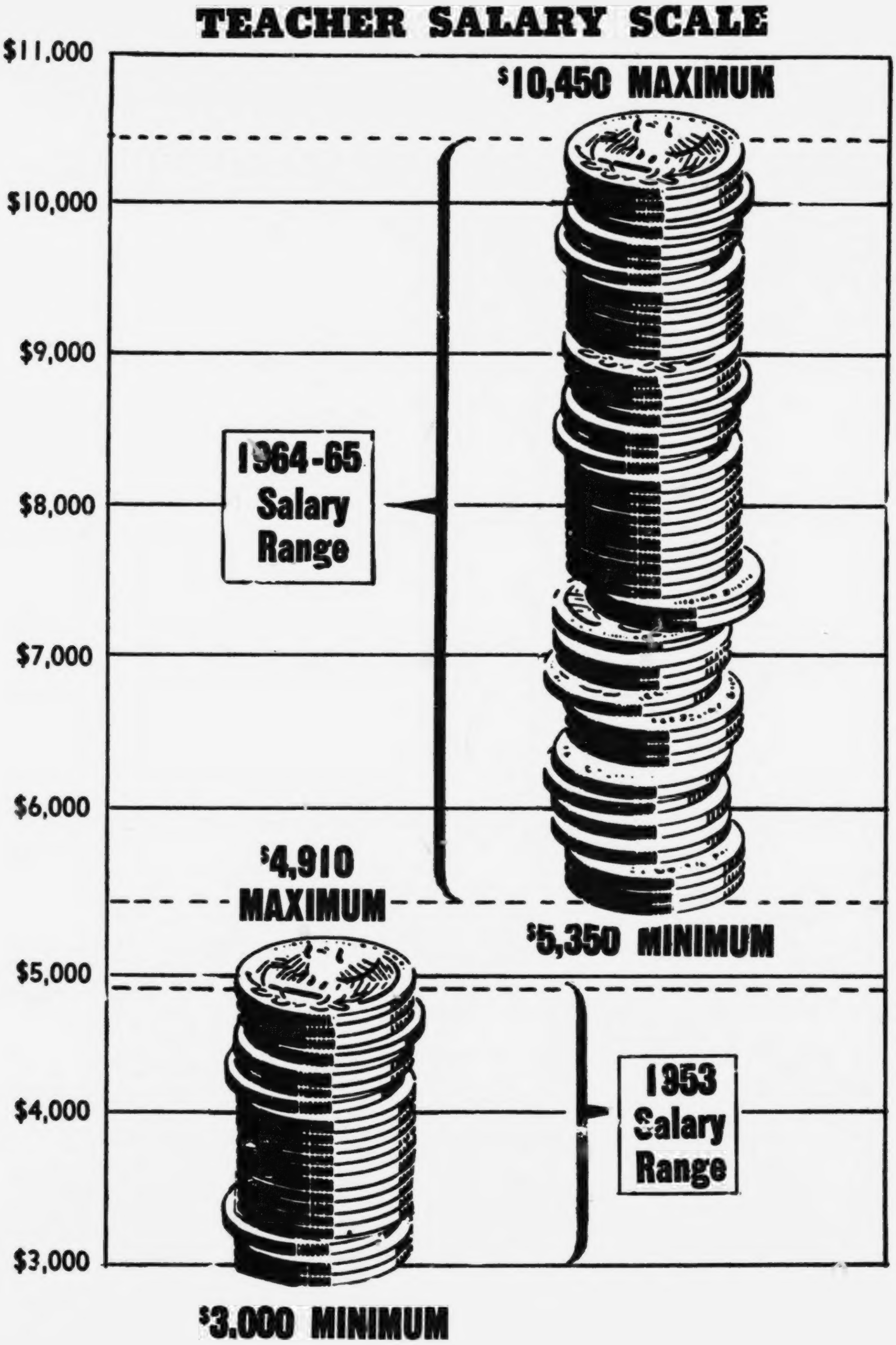


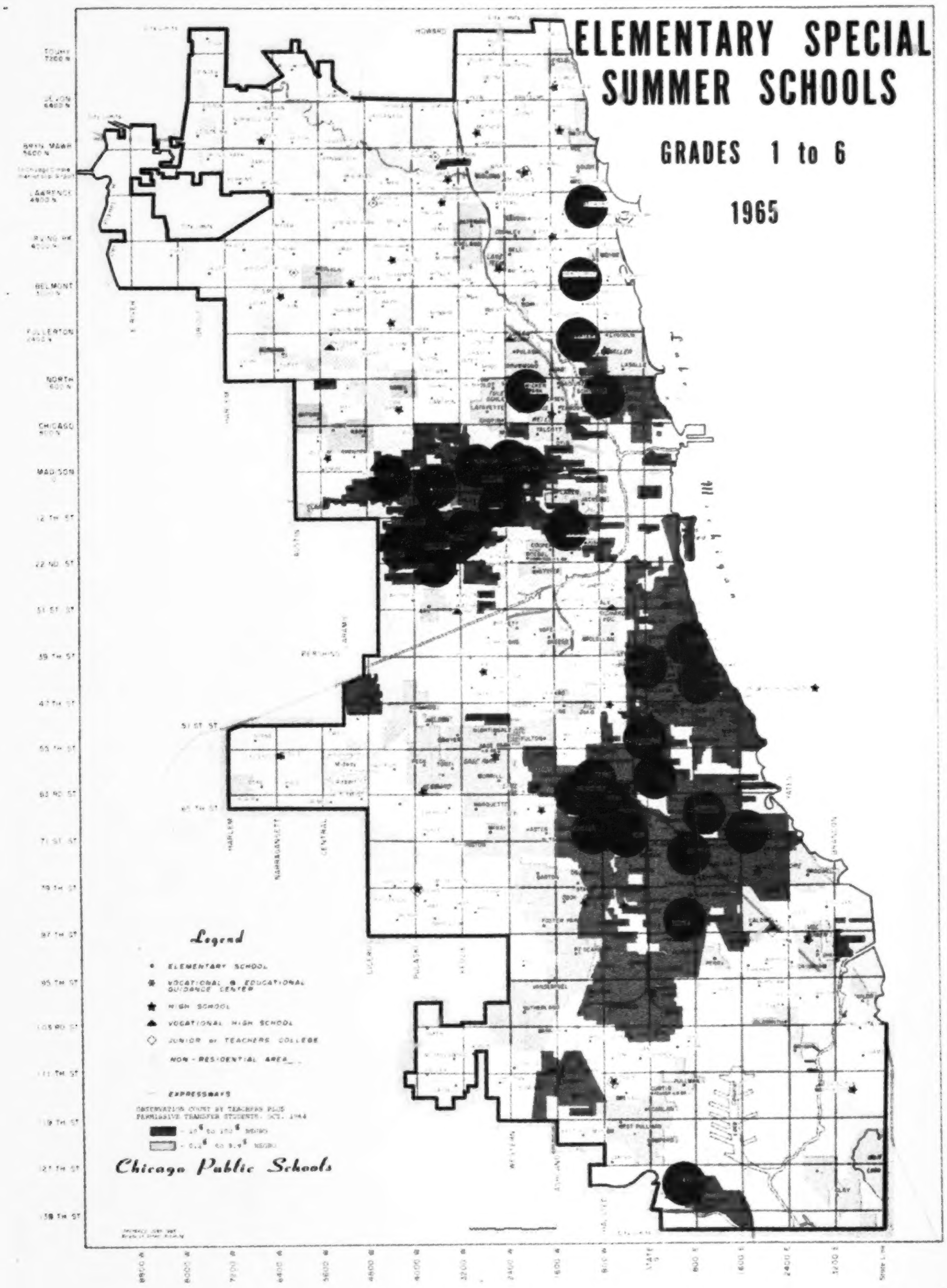
Each figure represents 3 students.

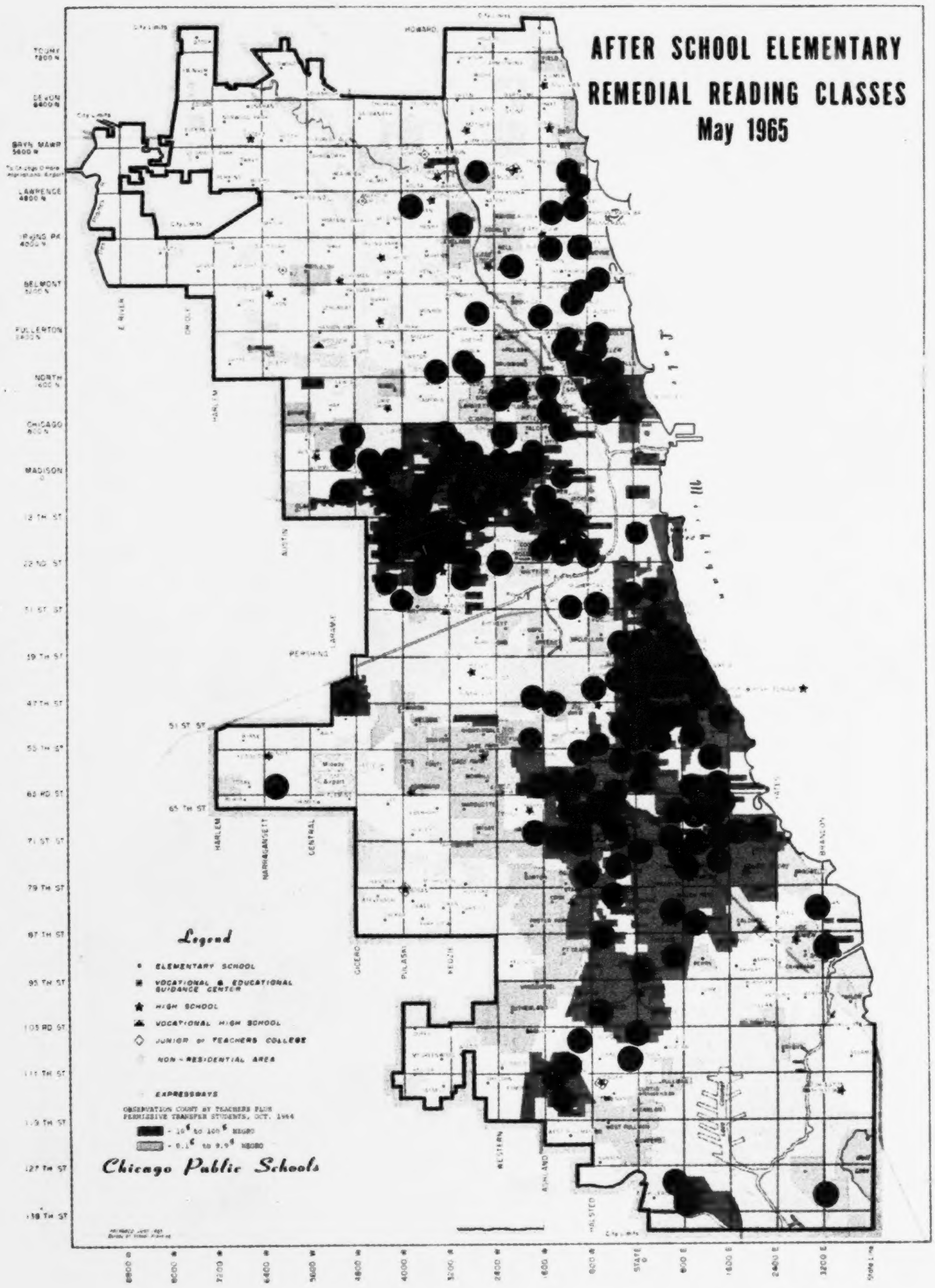


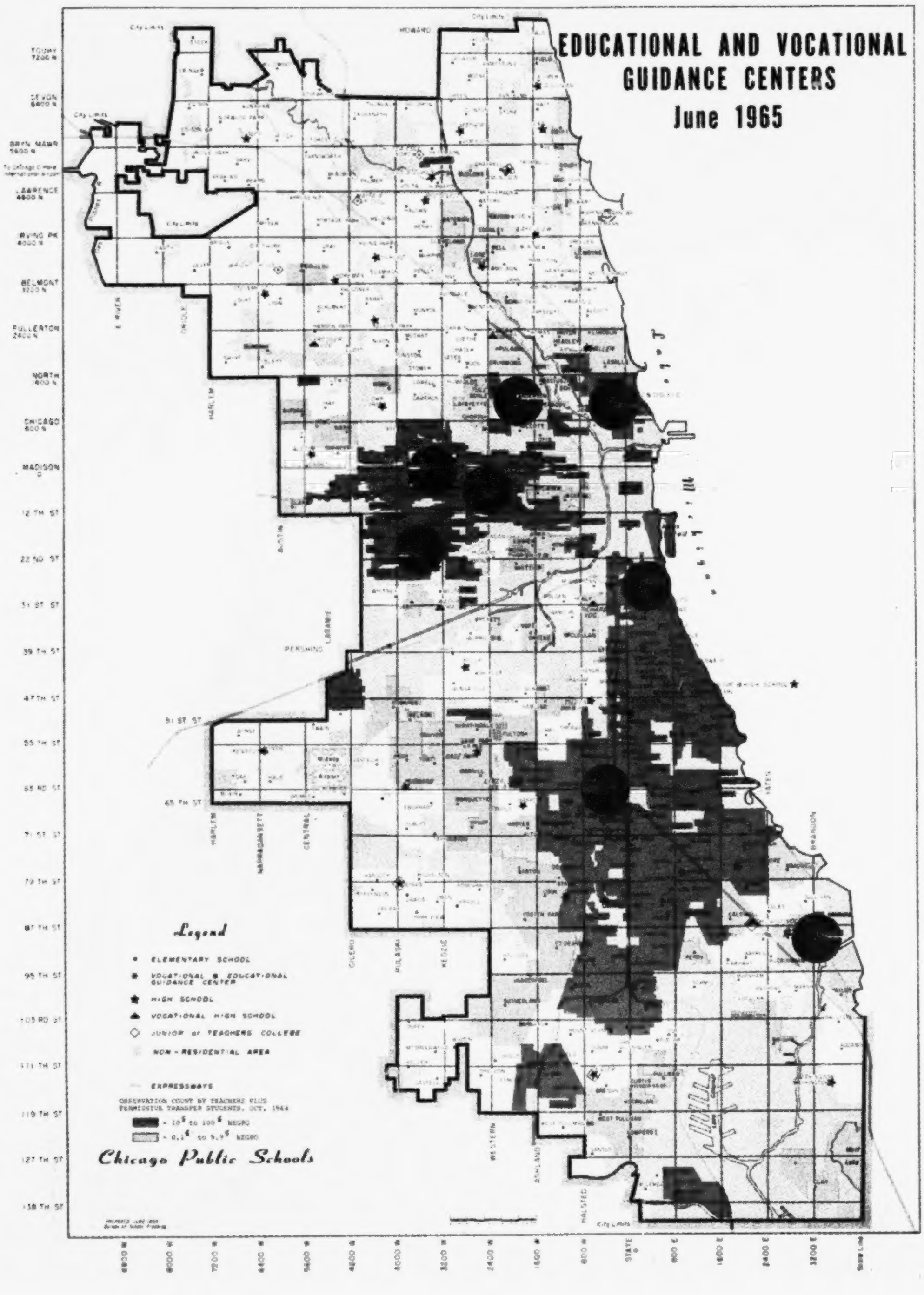
INCREASE IN TEACHING POSITIONS

SEPTEMBER 1953—SEPTEMBER 1964


TEACHER SALARY SCALE
$11,000
$10,000
$9,000
$8,000
$7,000
$6,000
$5,000
$4,000
$3,000
$10,450 MAXIMUM
1964-65 Salary Range
$5,350 MINIMUM
$4,910 MAXIMUM
1953 Salary Range
$3,000 MINIMUM


ELEMENTARY SPECIAL SUMMER SCHOOLS
GRADES 1 to 6
1965
Legend
ELEMENTARY SCHOOL
VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
HIGH SCHOOL
VOCATIONAL HIGH SCHOOL
JUNIOR OR TEACHERS COLLEGE
NON-RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS PLUS PERMISSIVE TRANSFER STUDENTS, OCT. 1964
NEGRO
NEGRO
Chicago Public Schools
TOUHY
DEVON
BRYN MAWR
LAWRENCE
IRVING PK
BELMONT
FULLERTON
NORTH
CHICAGO
MADISON
12 TH ST
22 ND ST
31 ST ST
39 TH ST
47 TH ST
55 TH ST
63 RD ST
71 ST ST
79 TH ST
87 TH ST
95 TH ST
103 RD ST
111 TH ST
119 TH ST
127 TH ST
138 TH ST
HOWARD
PERSHING
51 ST ST
HARLEM
NARRAGANSETT
CENTRAL
CICERO
PULASKI
AUSTIN
WESTERN
HALSTED
STATE
8800 W
8000 W
7200 W
6400 W
5600 W
4800 W
4000 W
3200 W
2400 W
1600 W
800 W
800 E
1600 E
2400 E
3200 E


AFTER SCHOOL ELEMENTARY
REMEDIAL READING CLASSES
May 1965
Legend
ELEMENTARY SCHOOL
VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
HIGH SCHOOL
VOCATIONAL HIGH SCHOOL
JUNIOR or TEACHERS COLLEGE
NON-RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS PLUS PERMISSIVE TRANSFER STUDENTS, OCT. 1964
- 10% to 100% NEGRO
- 0.1% to 9.9% NEGRO
Chicago Public Schools
HOWARD
TOUHY 7200 N
DEVON 6400 N
BRYN MAWR 5600 N
LAWRENCE 4800 N
IRVING PK 4000 N
BELMONT 3200 N
FULLERTON 2400 N
NORTH 1600 N
CHICAGO 800 N
MADISON 0
12 TH ST
22 ND ST
31 ST ST
39 TH ST
47 TH ST
51 ST ST
55 TH ST
63 RD ST
65 TH ST
71 ST ST
79 TH ST
87 TH ST
95 TH ST
103 RD ST
111 TH ST
119 TH ST
127 TH ST
138 TH ST
HARLEM
AUSTIN
LARAMIE
PERSHING
NARRAGANSETT
CENTRAL
CICERO
PULASKI
KEDZIE
WESTERN
ASHLAND
HALSTED
STATE
YATES
EWING
Midway Airport
8800 W
8000 W
7200 W
6400 W
5600 W
4800 W
4000 W
3200 W
2400 W
1600 W
800 W
STATE 0
800 E
1600 E
2400 E
3200 E


EDUCATIONAL AND VOCATIONAL
GUIDANCE CENTERS
June 1965
Legend
ELEMENTARY SCHOOL
VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
HIGH SCHOOL
VOCATIONAL HIGH SCHOOL
JUNIOR or TEACHERS COLLEGE
NON-RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS PLUS PERMISSIVE TRANSFER STUDENTS, OCT. 1964
- 10% to 100% NEGRO
- 0.1% to 9.9% NEGRO
Chicago Public Schools
TOUHY 7200 N
DEVON 6400 N
BRYN MAWR 5600 N
LAWRENCE 4800 N
IRVING PK 4000 N
BELMONT 3200 N
FULLERTON 2400 N
NORTH 1600 N
CHICAGO 800 N
MADISON 0
12 TH ST
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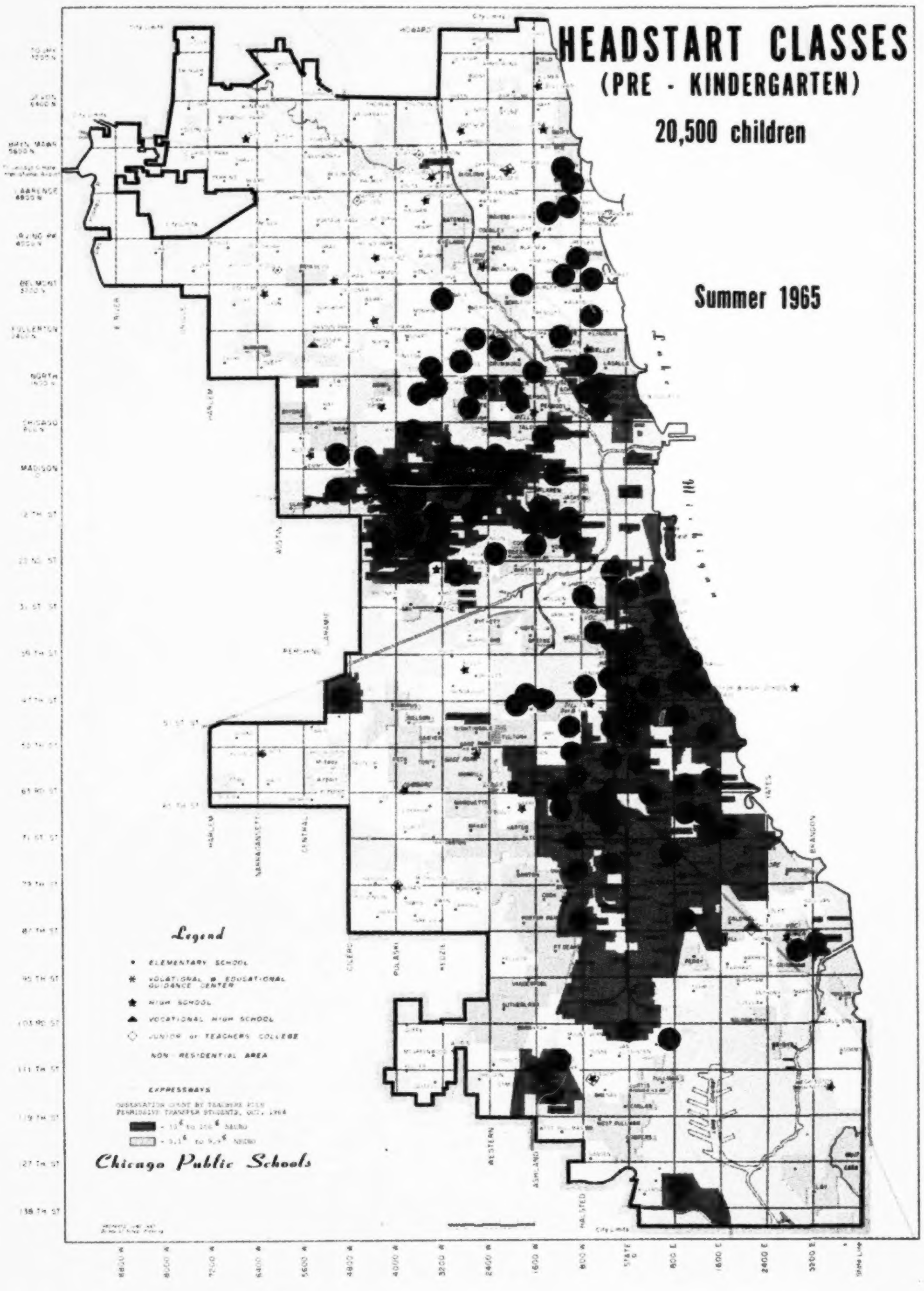
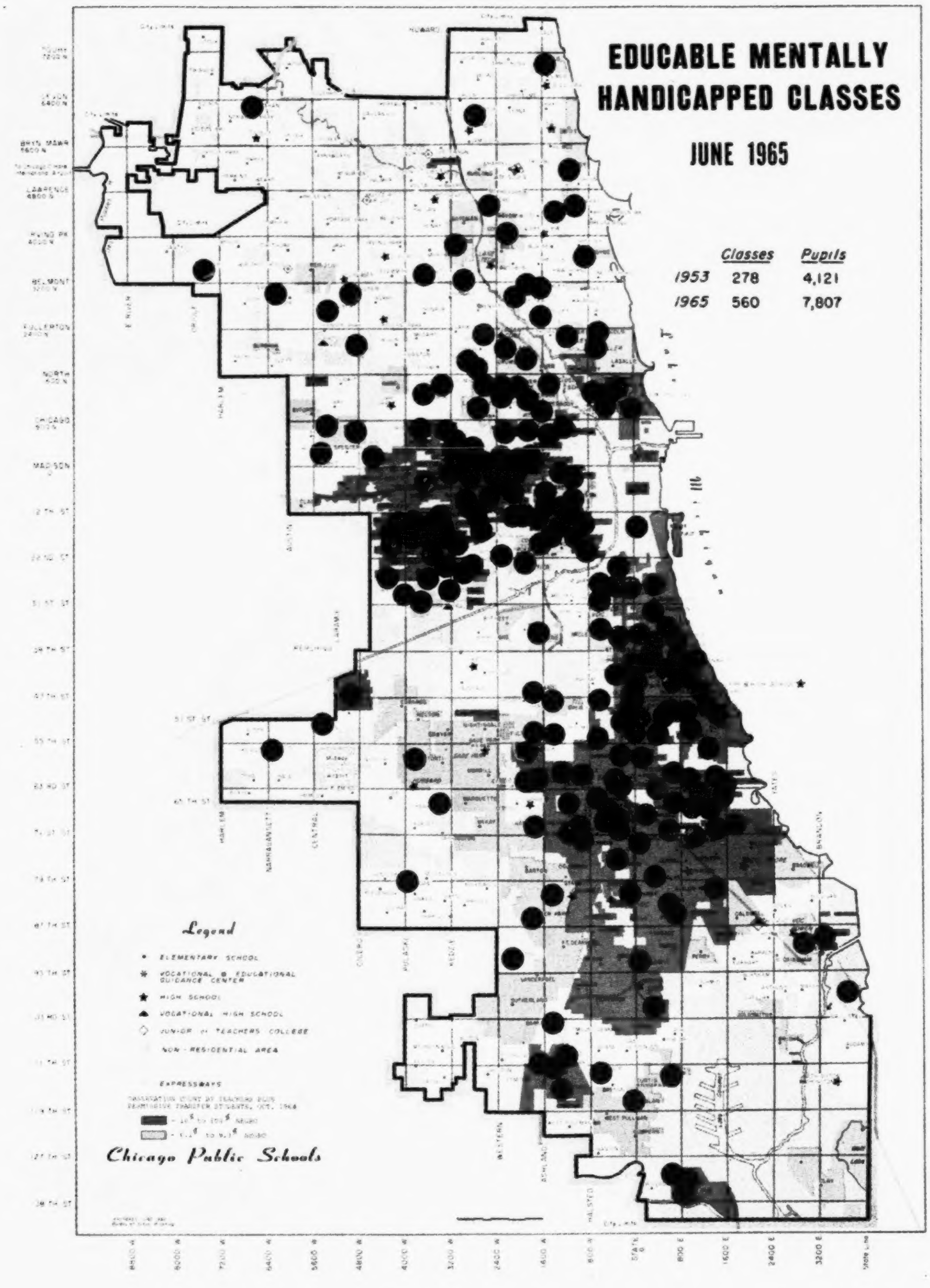
47 TH ST
55 TH ST
63 RD ST
71 ST ST
79 TH ST
87 TH ST
95 TH ST
103 RD ST
111 TH ST
119 TH ST
127 TH ST
138 TH ST
8800 W
8000 W
7200 W
6400 W
5600 W
4800 W
4000 W
3200 W
2400 W
1600 W
800 W
STATE 0
800 E
1600 E
2400 E
3200 E
HARLEM
NARRAGANSETT
CENTRAL
CICERO
PULASKI
KEDZIE
WESTERN
ASHLAND
HALSTED
AUSTIN
LARAMIE
PERSHING
51 ST ST
65 TH ST
City Limits
HOWARD
BRANDON


HEADSTART CLASSES
(PRE - KINDERGARTEN)
20,500 children
Summer 1965
Legend
ELEMENTARY SCHOOL
VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
HIGH SCHOOL
VOCATIONAL HIGH SCHOOL
JUNIOR or TEACHERS COLLEGE
NON-RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS WITH PERMISSIVE TRANSFER STUDENTS, OCT. 1964
Chicago Public Schools
HARLEM
AUSTIN
CICERO
PULASKI
KEDZIE
WESTERN
ASHLAND
HALSTED
STATE
MADISON
NORTH
FULLERTON
BELMONT


EDUCABLE MENTALLY HANDICAPPED CLASSES
JUNE 1965
Classes Pupils
1953 278 4,121
1965 560 7,807
Legend
• ELEMENTARY SCHOOL
✱ VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
★ HIGH SCHOOL
▲ VOCATIONAL HIGH SCHOOL
◇ JUNIOR OR TEACHERS COLLEGE
NON-RESIDENTIAL AREA
EXPRESSWAYS
Chicago Public Schools
HOWARD
TOUHY 7200 N
DEVON 6400 N
BRYN MAWR 5600 N
LAWRENCE 4800 N
IRVING PK 4000 N
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FULLERTON 2400 N
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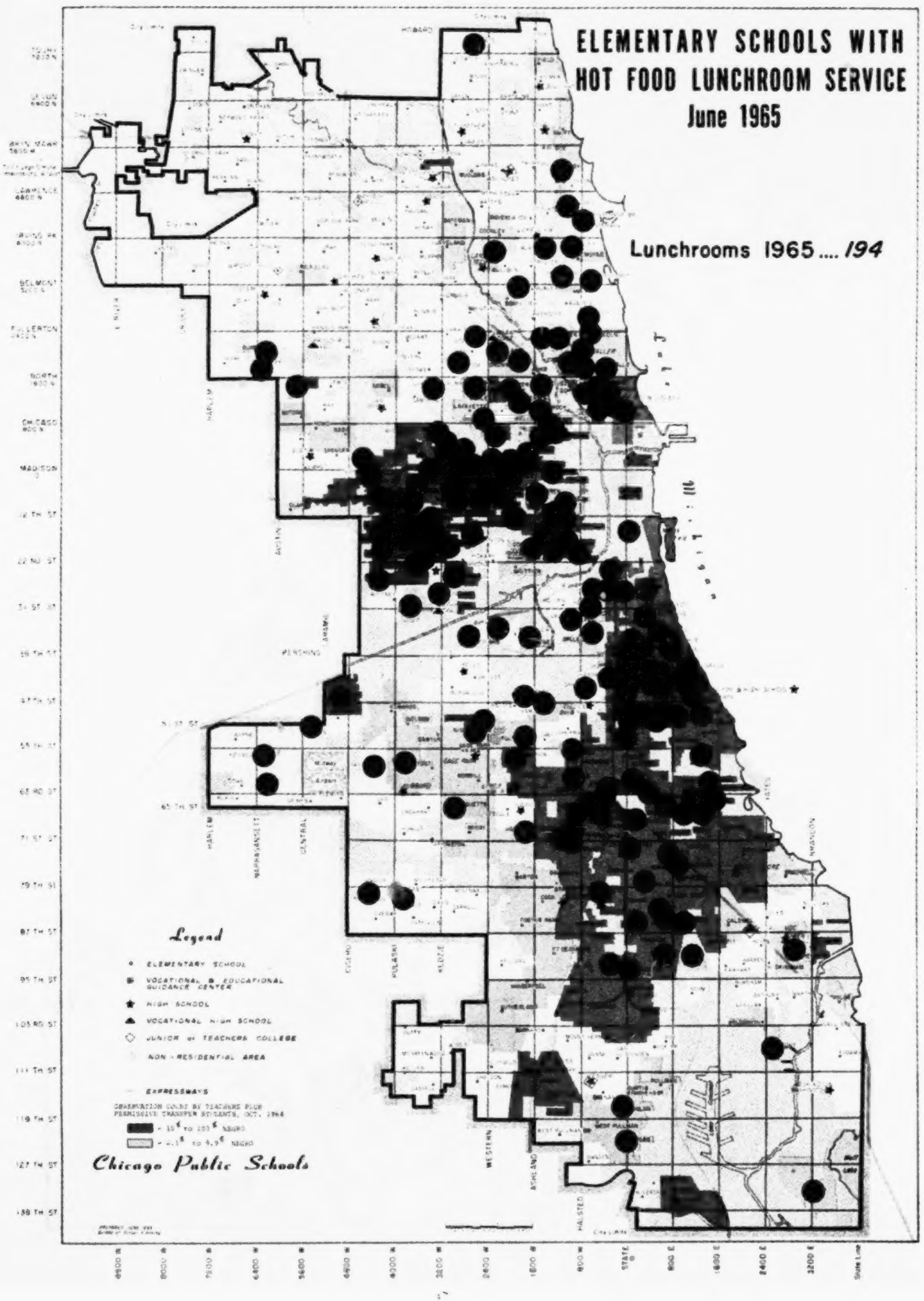
119 TH ST
127 TH ST
138 TH ST
HARLEM
NARRAGANSETT
CENTRAL
CICERO
PULASKI
KEDZIE
WESTERN
ASHLAND
HALSTED
AUSTIN
8800 W
8000 W
7200 W
6400 W
5600 W
4800 W
4000 W
3200 W
2400 W
1600 W
800 W
STATE 0
800 E
1600 E
2400 E
3200 E


ELEMENTARY SCHOOLS WITH
HOT FOOD LUNCHROOM SERVICE
June 1965
Lunchrooms 1965.... 194
Legend
• ELEMENTARY SCHOOL
VOCATIONAL & EDUCATIONAL GUIDANCE CENTER
★ HIGH SCHOOL
▲ VOCATIONAL HIGH SCHOOL
◇ JUNIOR or TEACHERS COLLEGE
NON-RESIDENTIAL AREA
EXPRESSWAYS
OBSERVATION COUNT BY TEACHERS PLUS PERMISSIVE TRANSFER STUDENTS, OCT. 1964
■ = 10% to 100% NEGRO
▨ = 0.1% to 9.9% NEGRO
Chicago Public Schools
TOUHY
DEVON 6400 N
BRYN MAWR
LAWRENCE 4800 N
IRVING PK 4000 N
BELMONT 3200 N
FULLERTON 2400 N
NORTH 1600 N
CHICAGO 800 N
MADISON 0
12 TH ST
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39 TH ST
47 TH ST
55 TH ST
63 RD ST
71 ST
79 TH ST
87 TH ST
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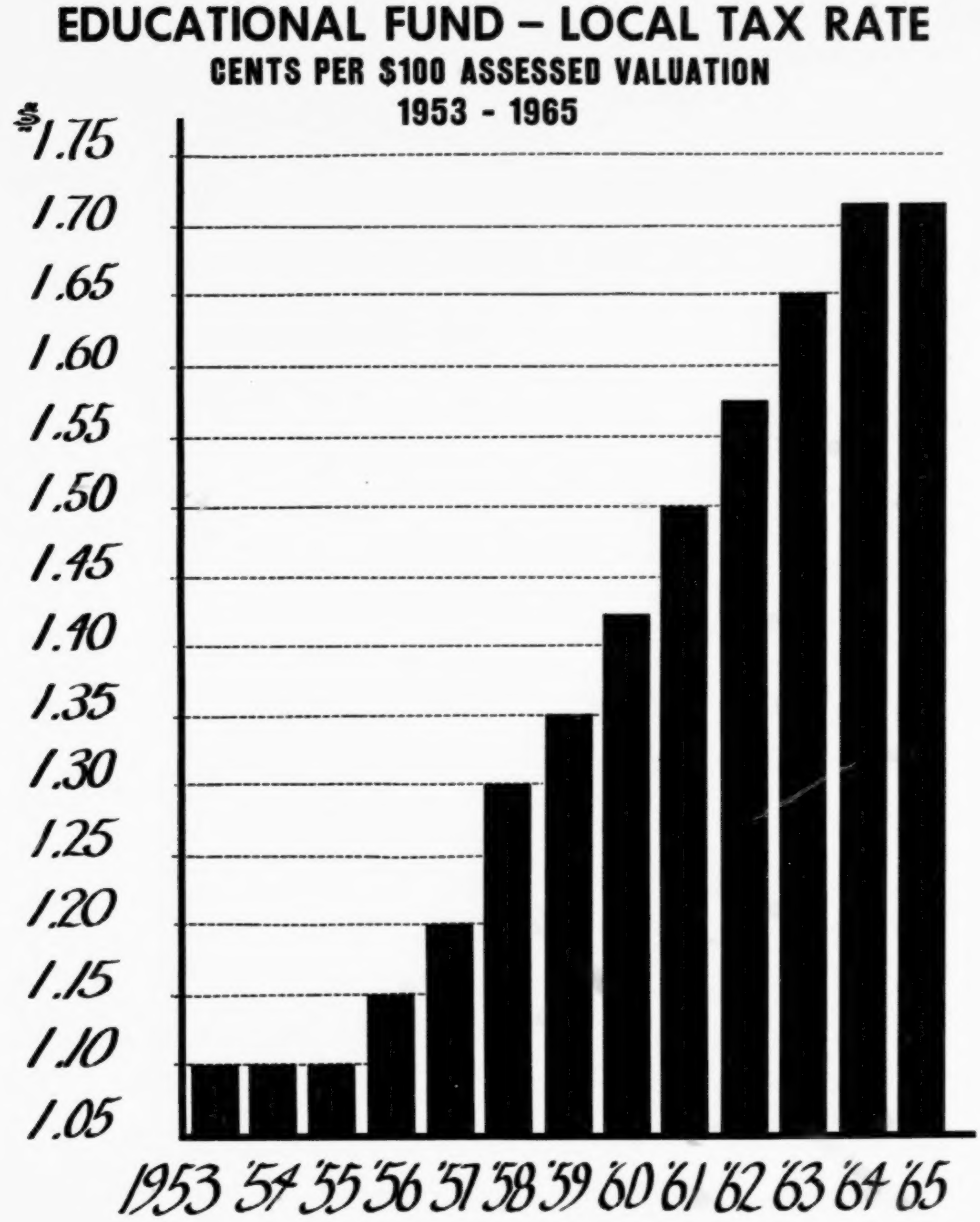
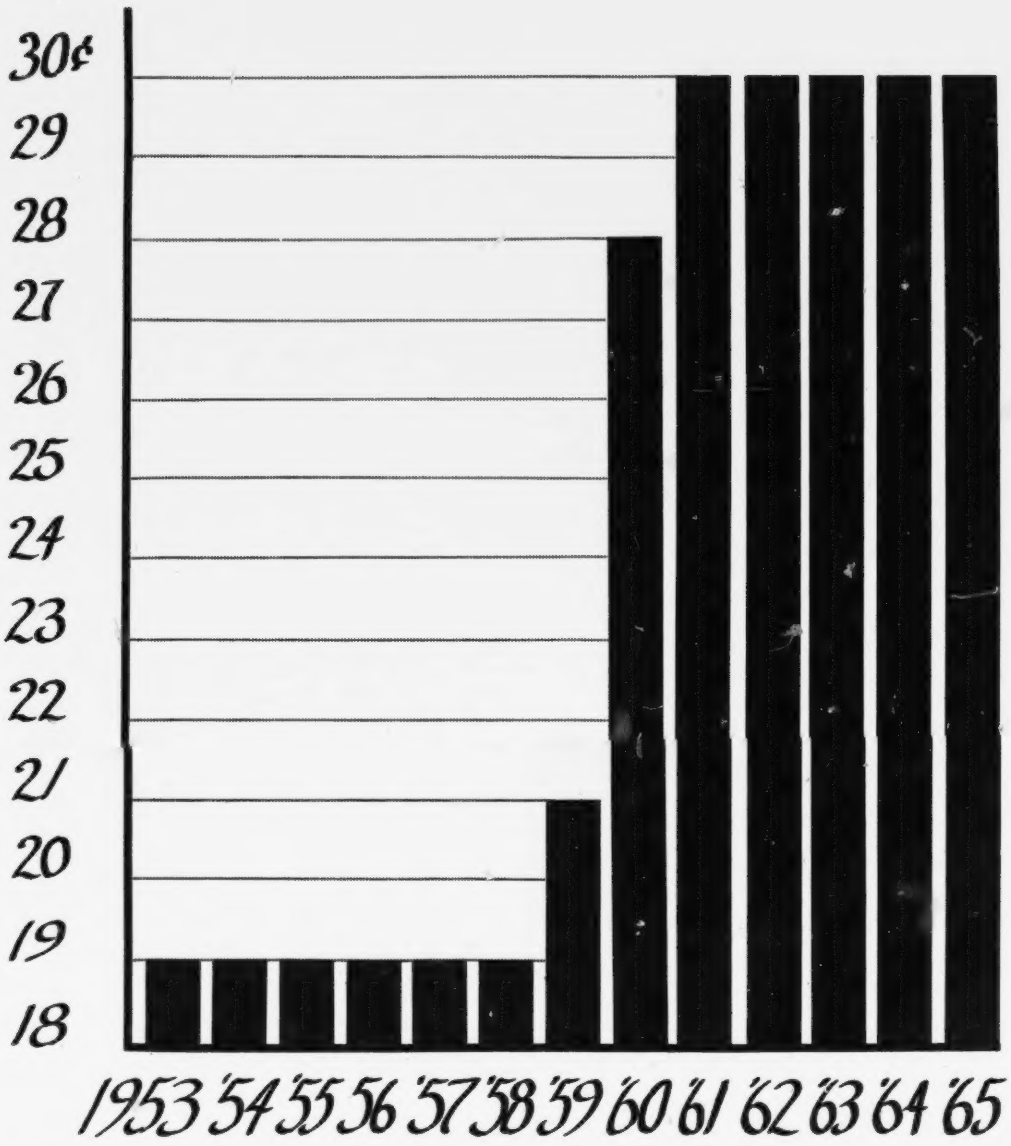
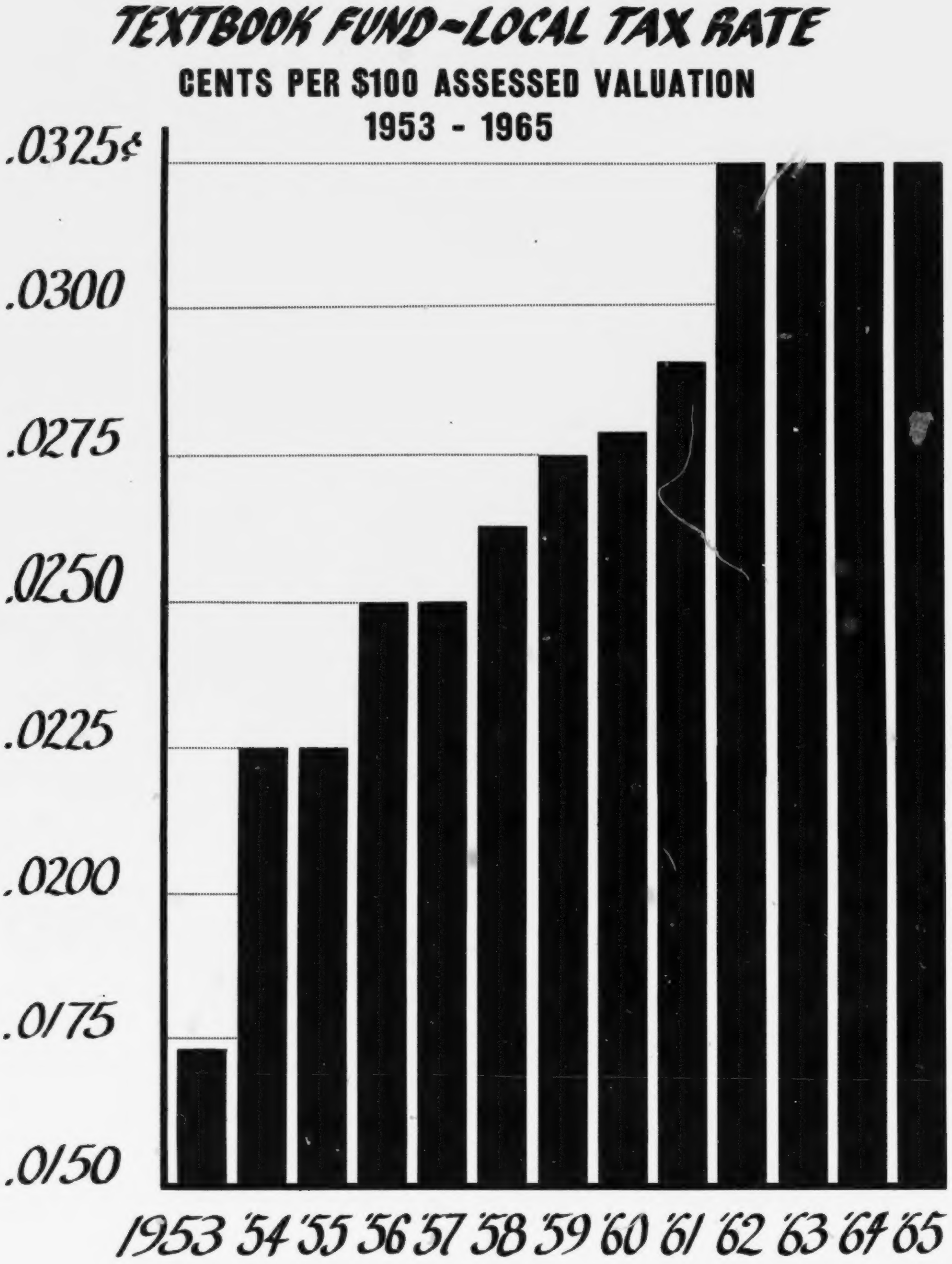
103 RD ST
111 TH ST
119 TH ST
127 TH ST
138 TH ST
HARLEM
AUSTIN
CICERO
PULASKI
KEDZIE
WESTERN
ASHLAND
HALSTED
STATE
PERSHING
NARRAGANSETT
CENTRAL
8400 W
8000 W
7200 W
6400 W
5600 W
4800 W
4000 W
3200 W
2400 W
1600 W
800 W
STATE 0
800 E
1600 E
2400 E
3200 E
State Line

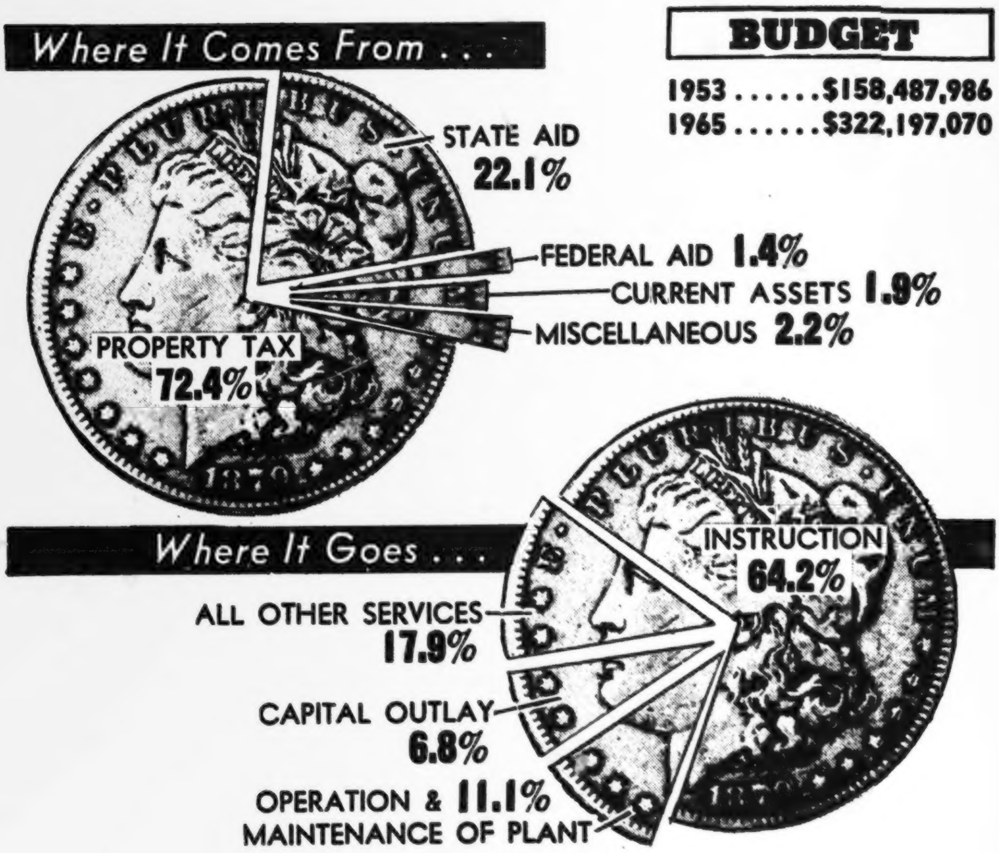


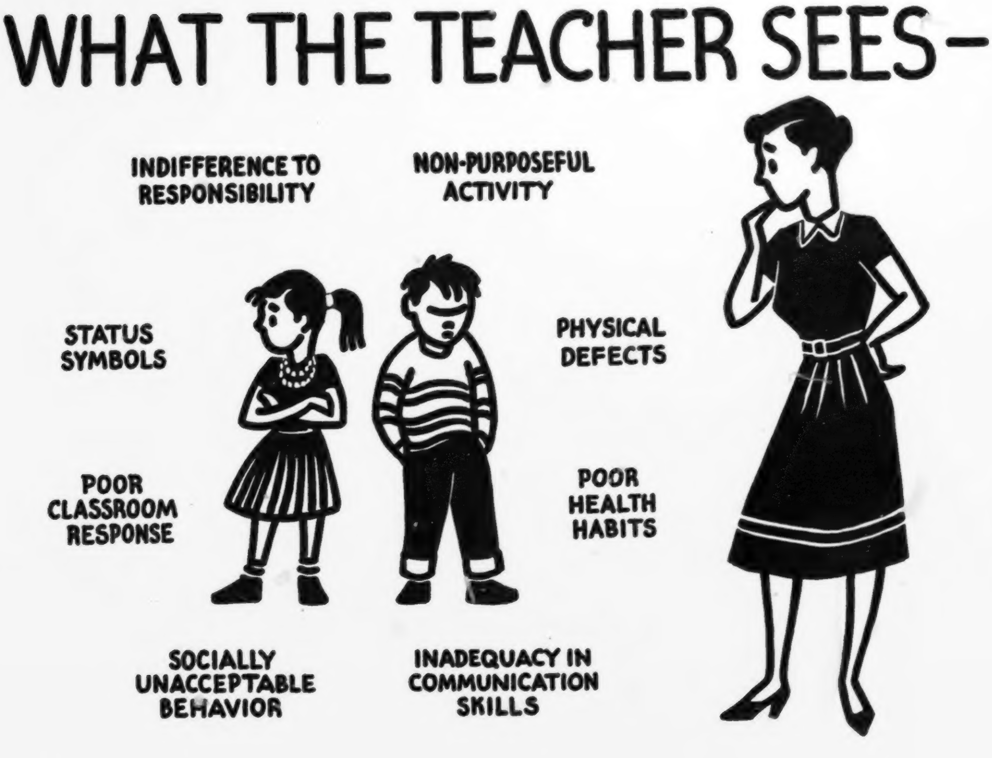
EDUCATIONAL FUND – LOCAL TAX RATE
CENTS PER $100 ASSESSED VALUATION
1953 - 1965

BUILDING FUND – LOCAL TAX RATE
CENTS PER $100 ASSESSED VALUATION
1953 - 1965

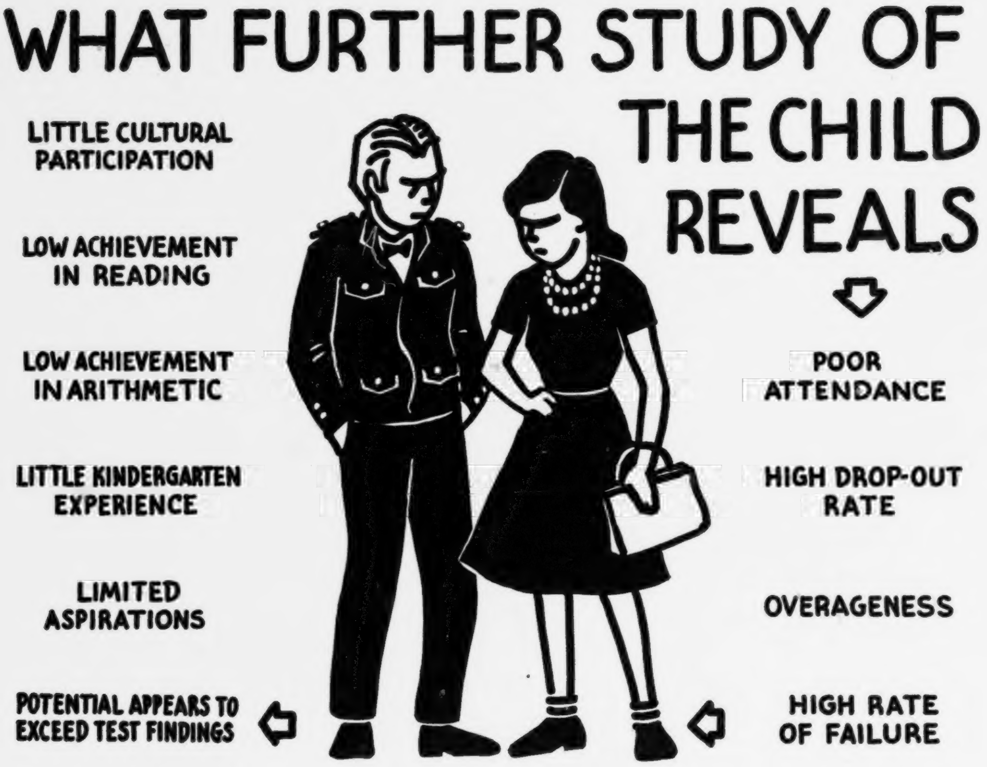



TEXTBOOK FUND–LOCAL TAX RATE
CENTS PER $100 ASSESSED VALUATION
1953 - 1965
.0325¢
.0300
.0275
.0250
.0225
.0200
.0175
.0150
1953
'54
'55
'56
'57
'58
'59
'60
'61
'62
'63
'64
'65

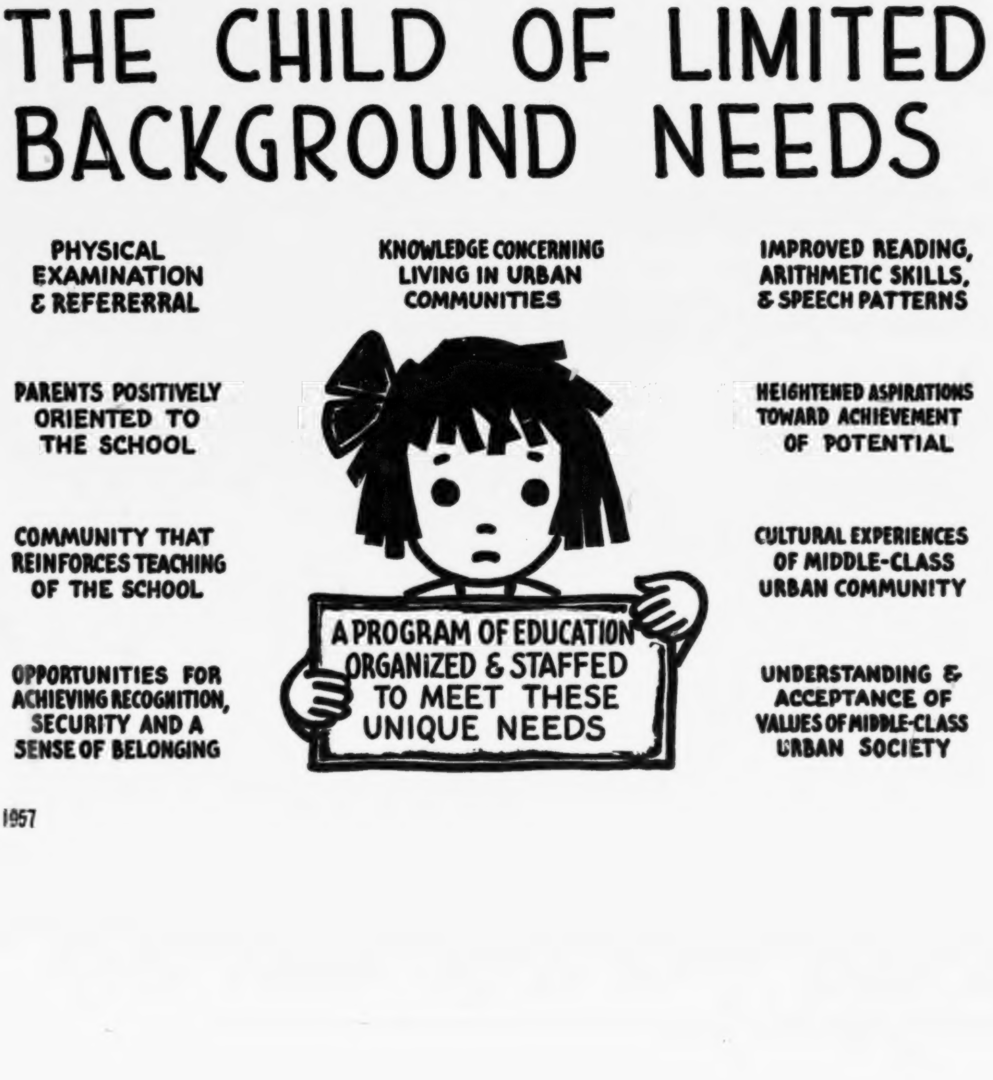

Where It Comes From . . .
BUDGET
1953 . . . . . . $158,487,986
1965 . . . . . . $322,197,070
STATE AID 22.1%
FEDERAL AID 1.4%
CURRENT ASSETS 1.9%
MISCELLANEOUS 2.2%
PROPERTY TAX 72.4%
Where It Goes . . .
INSTRUCTION 64.2%
ALL OTHER SERVICES 17.9%
CAPITAL OUTLAY 6.8%
OPERATION & MAINTENANCE OF PLANT 11.1%


WHAT THE TEACHER SEES–
INDIFFERENCE TO RESPONSIBILITY
NON-PURPOSEFUL ACTIVITY
STATUS SYMBOLS
PHYSICAL DEFECTS
POOR CLASSROOM RESPONSE
POOR HEALTH HABITS
SOCIALLY UNACCEPTABLE BEHAVIOR
INADEQUACY IN COMMUNICATION SKILLS

1957


WHAT FURTHER STUDY OF THE CHILD REVEALS
LITTLE CULTURAL PARTICIPATION
LOW ACHIEVEMENT IN READING
LOW ACHIEVEMENT IN ARITHMETIC
LITTLE KINDERGARTEN EXPERIENCE
LIMITED ASPIRATIONS
POTENTIAL APPEARS TO EXCEED TEST FINDINGS
POOR ATTENDANCE
HIGH DROP-OUT RATE
OVERAGENESS
HIGH RATE OF FAILURE

1957


THE CHILD OF LIMITED BACKGROUND NEEDS
PHYSICAL EXAMINATION & REFERERRAL
KNOWLEDGE CONCERNING LIVING IN URBAN COMMUNITIES
IMPROVED READING, ARITHMETIC SKILLS, & SPEECH PATTERNS
PARENTS POSITIVELY ORIENTED TO THE SCHOOL
HEIGHTENED ASPIRATIONS TOWARD ACHIEVEMENT OF POTENTIAL
COMMUNITY THAT REINFORCES TEACHING OF THE SCHOOL
CULTURAL EXPERIENCES OF MIDDLE-CLASS URBAN COMMUNITY
OPPORTUNITIES FOR ACHIEVING RECOGNITION, SECURITY AND A SENSE OF BELONGING
A PROGRAM OF EDUCATION ORGANIZED & STAFFED TO MEET THESE UNIQUE NEEDS
UNDERSTANDING & ACCEPTANCE OF VALUES OF MIDDLE-CLASS URBAN SOCIETY

1957

Chairman POWELL. Can you introduce them now, because we might want to refer to them.

Mr. WILLIS. I would like to introduce first Dr. Virginia Lewis, assistant superintendent of schools, a former teacher and principal and district superintendent of the city of Chicago.

Mrs. Louise Daugherty, a district superintendent who has served as a teacher and principal of elementary schools.

On the end over here is Dr. Eileen Stack, who is an associate superintendent of schools who has served in many areas of the city, as all of these people have.

This is Mrs. Evelyn Carlson, another associate superintendent of schools.

Mr. Julien Drayton here is an assistant superintendent of schools, and in charge of our relationships with the poverty program and the programs that operate under it.

Over here is another young lady, Miss Dorothy Sauer, who is principal of a high school that is entering into a shared-time program this fall, after deciding on that a year ago, and we might have something of that nature to present.

There are one or two more. I think I have covered the group who will speak.

I appreciate having this opportunity to testify concerning the problems confronting the Chicago public schools over the recent years and the progress we have made in meeting them.

The school problems have had their origin in social changes and social problems. National as well as local technological changes have stimulated an upsurge of population mobility—from rural to urban centers and from urban centers to suburbia.

The increased birthrate of the 1950's and heavy immigration of families with many school-age children sent our enrollments upward sharply. Racial changes have taken place, and segregated housing patterns have affected the composition of many Chicago public schools.

The school financial resources are insufficient for all that needs to be done, but nevertheless the Chicago public schools have made vast efforts of several kinds to meet the needs of an increasingly diverse school population.

What the Members of Congress and particularly the members of this committee seek is greater educational opportunity for all children each according to need. So do we in education, and I can speak especially for those of us in Chicago.

It was in such a spirit that this very committee gave impetus to the Vocational Education Act of 1963 which has opened the gate for the succeeding legislation that will further increase educational opportunity. This distinguished contribution on your part is known in the Capitol, and it is becoming increasingly well-known elsewhere.

In discussing enrollment increases, I wish first to relate them to total population statistics for Chicago. According to the census, the city of Chicago had an absolute loss in population of 70,000 between 1950 and 1960. During the same 10 years the Chicago public schools gained over 120,000 pupils.

In the 4 years since 1960, our enrollments have risen another 90,000 for a total increase of 211,000 in 14 years. The increase alone is larger than the school enrollment of all but five or six cities of America.

The accelerating rate of growth during the last 4 years is significant to our discussion. Between 1952 and 1964, the elementary schools experienced a 44-percent increase.

Between 1952 and 1961, a 10-year period, the high schools grew by 13 percent. The high school increase jumped to 36 percent between 1960 and 1964. The high school enrollments increased 45 percent between 1952 and 1964.

Combining the elementary and high school rates of increase for the crucial years 1959 to 1965 we find the rate of increase to be 21 percent or 4.2 percent per year.

The breakdown of the figures follows:

Enrollment data

	Number	Percent
Elementary enrollment:		
1952	284, 240	------------
1964	407, 907	------------
Increase	123, 667	44
High school enrollment:		
1952	97, 740	------------
1960	104, 688	------------
1961	110, 380	------------
1964	141, 995	------------
Increase:		
1952–61 (10 years)	12, 640	13
1960–64 (4 years)	37, 307	36
1952–64	44, 255	45
Total enrollment:		
1959	488, 829	------------
1964	592, 438	------------
Increase (5 years)	103, 609	21

NOTE.—4.2 percent average increase per year.

The public schools of Chicago gained 2 pupils for every 1 of the 70,000 citizens who moved out of the city between 1950 and 1960 and has gained in enrollment at an accelerated rate since 1960.

It is to be noted also that the growth in enrollment was not distributed evenly throughout the city, but took place largely in areas where in-migrants settled and in some outlying areas of the city which were sparsely settled until the close of World War II.

On this map of the city are indicated the areas where the percent of increase in the elementary school population was 60 percent or more.

It is also necessary to relate the population and enrollment data to racial composition. According to the census, the Negro population constituted 2 percent of Chicago's total population in 1910, and in 1960 the Negro population constituted nearly 23 percent of the city's population.

However, data on school-age population is also relevant. Negroes comprise 34 percent of the elementary-school-age population in Chicago and 27 percent of the high-school-age group in the city. In contrast, 54 percent of the elementary school pupils was observed to be Negro in the teacher observation count of 1963 and 36 percent of the high school students was observed to be Negro.

Thus a high percentage of Negro youth attend public schools rather than private schools. The number of white pupils attending public school is about equal to the number attending private schools.

Moreover, in the period between 1950 and 1960 the number of white children under 5 years of age residing in Chicago decreased by 8 percent or 22,643 children.

During the same period of time nonwhite children under 5 years of age residing in Chicago increased by 141 percent or 76,139 children. If these trends continue, it will become increasingly difficult to provide integrated education of a meaningful sort.

I have prepared two maps of the city with names of schools indicated—one showing elementary school areas and one high school areas. Let us look first at the elementary school map.

We have shaded orange the areas of the city where at least 10 percent of the individual school enrollments are Negro according to the second teacher observation count taken in the fall of 1964.

Shaded in green are the areas where the schools have some but less than 10-percent Negro enrollment according to the same count. The Negro children are present in many of the schools in the outlying areas as a result of administrative recommendations approved by the board of education.

The location of special education classes is one example, in the Marquette, Morrill, and Young Schools, for instance. The development of upper grade centers for seventh and eighth grade pupils is another, as at the Spry and the Henderson.

Let me interrupt the discussion of the elementary map to show you the racial situation in the high schools. The orange and green shadings here represent the same percentage of Negro enrollment as on the elementary map.

Note that most of our high schools have some Negro students enrolled. The permissive transfer plans of 1963 and 1964 account for the enrollment of Negro pupils in still other schools, as at Amundsen and Roosevelt, for instance.

Returning now to the elementary map, the grayed areas of the map represent nonresidential sections of the city, industrial areas, or parks, or waterways.

Note the proportion particularly in the south portion of the city. Chicago, you notice, is a long, narrow city of 226 square miles. Sixty-seven square miles or practically one-quarter of the city is nonresidential.

I have had prepared also this map which indicates in orange the areas, on the basis of U.S. census data, which in 1950 had 10 percent or more Negro enrollment.

The green area represents the changes to 1960 or the additional area having 10 percent or more Negro; thus, the orange and green combined indicate the areas of the city which were at least 10-percent Negro in 1960.

Density of population is a characteristic of the portions of the map shaded in the two colors, particularly in the orange portions. Residential areas in Chicago total approximately 160 square miles.

The area shaded in orange approximates 50 square miles, or approximately one-third of the residential area. Yet one-half of our elementary school pupils reside in these 50 square miles. The pupil population density in various areas of the city ranges from 1,000 to 8,000 per square mile.

I want to point out the contrast above and below the diagonal line which approximates North Avenue. North of the line, there is 1

Negro elementary school pupil for every 174 white pupils. South of the diagonal line, there are two Negro elementary school pupils for every one white pupil.

You will note also the extent to which nonresidential enterprises take up what at first glance seem to be open areas of the south side. Thus in the area which appears large, the residential sections are actually limited with many isolated residential pockets.

Using U.S. census tract figures for 1960, the Chicago Committee on Urban Opportunity developed a series of maps that ranked the various communities in Chicago on five factors which contribute to poverty.

The factors are income, education of adults, housing, welfare or public assistance, and delinquency. A composite rank was then developed and charted. We have superimposed on our base map the areas designated as having the three ranks that denote the most serious poverty situations.

You will note both the extent of the poverty areas and the degree to which they coincide with the orange area.

On July 10, 1963, in a statement to the board of education, I presented a study of the educational levels of adults in Chicago, taken from the U.S. census tracts of 1960 and organized by districts.

The basis of the study was the years of schooling completed by adults 25 years of age or older, by place of residence.

The study highlights Chicago's educational problem, as effected by in-migration and urbanization, and presents a startling picture. In 1940, the median years of schooling completed by Chicago adults of 25 years of age or more was 8.75 years, slightly higher than the median for Illinois as a whole or for the United States as a whole.

Chicago exceeded Illinois and the Nation again in 1950, with a median of 10.5. By 1960 the median for the Nation and for the State had risen to 10.6 and 10.5, respectively, but the median for Chicago had dropped slightly, falling behind both Illinois and the United States.

On this map we have indicated the two school districts with median levels of education for adults that are lower than the median of any State in the Union.

In summary up to this point, the data presented so far depict a city with a changing population as to both race and education level of adults. The city had widespread poverty, and it is losing population while its public school enrollments soar.

Its Negroes dwell in segregated areas to a large extent, but the schools have fostered integration which exists in the schools in many areas in the city.

I turn now to certain pupil characteristics of significance to the problems of education. I have already stated that approximately half of our elementary pupils live in the areas now identified as the poverty areas. Another striking fact is that about 50,000 of our schoolchildren live in public housing.

A study by the Research Council of the Great Cities Program for School Improvement based on U.S. census data indicates, as I have already stated, the much greater number of Negro births than of white births.

In addition, this study shows that the increase resulting from inmigration was even greater between 1950 and 1960 than it had been between 1940 and 1950. Thus many children in the inner poverty ring are handicapped by the effects of mobility and by the effects of early childhood in another type of community.

Population changes within a single age group over 2 decades—Chicago: Nonwhite population

	1940		1950		1960	
Decade of birth:						
1950-60	----------	------	----------	-------	223,947	(−10)
1940-50	----------	------	93,257	(−10)	123,261	(10-19)
1930-40	40,511	(−10)	63,750	(10-19)	121,171	(20-29)
1920-30	42,641		101,138		130,415	
1910-20	47,307		94,042		95,993	

The parentheses denote age group during census year indicated. Minus 10 means under 10 age group.

Research of our own bears this out in a limited way. A study was made of the birthplaces of the first 1,297 pupils enrolled in our education and vocational guidance centers for special placement of overage elementary school pupils.

These centers are located in the shaded areas in the main.

Approximately 57 percent of the 1,297 studied were born outside Chicago. The largest group, 311 or 24 percent of the 1,297, was born in Mississippi. Another 11 percent were born in the Deep South, exclusive of Mississippi. As a sidelight, 52 percent of both mothers and fathers were born in Mississippi or other Deep South States.

Ninety-four percent of the 1,297 pupils studied had attended from 2 to 10 or more schools. Thus, only 6 percent of the group had attended only one school prior to enrollment in the center. The median number of schools attended was 4.6.

Of the 1,297, 25 percent had resided in Chicago 4 years or less. The study further emphasized the results of mobility in overageness for grade. The median age for the 1,297 was 15 years and 7 months.

Another characteristic of the pupils residing in the inner city is that of lack of those preschool experiences which do so much to prepare a child for the tasks of the first grade.

At entrance to first grade in September, all pupils are tested for readiness for school learning. The percent of pupils ready for formal learning in 1963 ranged by districts in the city from 32.8 to 88.9 percent.

In the most deprived areas of the orange section, no district had as much as 50 percent of its entering first grade pupils ready for school. Besides when they enter school, these children pose serious challenges to teaching not experienced in the areas of the city where large majorities of the children are ready for school.

To meet these needs in 1960 we introduced special summer schools for grades 1 to 6—these are treated more fully later.

For the same reason, in 1964 we introduced prekindergarten classes into the special summer schools and three classes for the next younger age group.

These will also be discussed more fully later.

In summary so far, great numbers of our public elementary school pupils live in poverty, and many in public housing. Numbers of them have in-migrated, a high proportion from Mississippi and other Deep South States.

Numbers of them have been here a comparatively short time. They have attended many different schools year after year. Many are overage in the middle and upper grades and many are not ready for first grade work when they start school.

With this as background, I wish to present some examples of our efforts to meet the new conditions and needs and to present what I believe to be evidence of our progress.

The addition of 211,000 pupils has posed a major school housing problem to which we responded with a massive building program. With the 5 new schools which will open in the fall of 1965, we will have constructed or in a few cases acquired 277 buildings and additions since 1951.

These buildings will have brought 5,061 classrooms into service. Today, approximately 40 percent of our pupils attend school in modern buildings less than 10 years old. By looking at this map one can see the extent to which the new buildings have been constructed or acquired in the areas shaded green or orange.

The question has been asked why we constructed the schools where we did and not in some other place. It has been our policy to build the buildings where the children are and where enrollment growth is anticipated as children move through the grades.

In a number of cases, the schools now in the orange area on the map were on the edge of racial areas or considerably over the edge when the school sites were selected and the plans were drawn.

The movement of large numbers of the Negro population into new areas of residence, or heavy concentration of them in areas where there was an integrated community at the time of planning of the building, has obviated the effects of the placement of the schools.

The Revere addition, the Hefferan, the Marconi, and Harlan High Schools are examples. Observation would indicate that Harlan had a 50–50 racial composition when it opened. Today it is 90-percent Negro.

We are proud of our modern buildings and attribute their architectural distinction and the speed of the program in part to the fact that beginning in 1953 we employed outside architects in addition to the employees in our own building department. I might add that a sizable investment has been made by the board of education for the purchase of over 216 new sites or additions to sites for schools.

As a result of our building program, the educational program has been assisted and improved. Not only did we acquire educational tools that contribute much to the program of education through modern design and technical advances but we also eliminated double shift.

The last class went off double shift on January 28, 1963. We have searched the records and have established the fact that for the first time in 100 years Chicago was free of double shift as of that day. The single shift has continued in every school in the city since then. We have no pupils on double shift today.

Simultaneously, we reduced class size from a citywide average of slightly over 39 pupils per room in 1953 to a class size of slightly over 32 in 19[illegible]3. Every school in the city is staffed with the same ratio of pupils to teachers.

Increases in classrooms and reduction in class size require an increase in the teaching staff. The number of teaching positions has grown from some 13,000 to 21,000 today, a 50-percent increase.

All of our teachers are certified and meet State requirements at least. It is true that as a group they are younger than when we went to school, though we, too, had our young and inexperienced but enthusiastic teachers. The median age of all Chicago's women teachers was 50 in 1959 and had dropped to 39 in 1963. The median for the men dropped from 41.2 to 35.9.

Securing sufficient teachers presents a complicated problem. In addition to staff for new positions, it is necessary to recruit 1,700 a year just for replacements from retirements, resignations, maternity leaves, or illness.

Staffing the inner city schools with experienced teachers continues to pose problems. Teachers prefer to work as near their homes as possible. This fact is repeatedly illustrated at the time of initial assignment.

Teachers who have passed the certificate examination are called in order and presented with all the vacancies in the city related to their certificate title. These vacancies are shown on a large map with colored pins denoting the type of vacancy.

Invariably the candidate will select a school as close to his home as possible, regardless of his race.

However, we have made many efforts to encourage experienced teachers to take or keep assignments in the inner city schools. We—

1. Devised a transfer on loan.
2. Reduced the number of schools a teacher may list in requesting a transfer.
3. Confined the afterschool teaching assignments to the home school faculty. This means additional income for these teachers.
4. Placed non-examination-certified teachers on the first step of the regular salary schedule.
5. Expanded student teaching.
6. Increased recruitment nationally with a director in charge.
7. Established a formula for staffing by which a percentage of vacancies or new positions in the schools with stable and experienced faculties would be reserved for new teachers.
8. Established a new salary schedule having a minimum salary higher than the maximum in 1953.

When the superintendent recommended an increase in the percentage of positions to be reserved, the board of education did not adopt the report because of objections of teachers.

Much has also been done in the program of education itself. Team teaching which utilizes to the greatest advantage the strengths of teachers has been initiated in a number of schools.

Several years ago we initiated a program of continuous development in the primary grades beginning with first grade. This program is sometimes called the nongraded program, but whatever its name it is intended to replace the concept of passing and retention in the early grades with the concept of continuous development in accordance with the child's growth patterns and not in accordance with rigid grade levels.

This pattern has been found particularly helpful for children of limited background. The program has been instituted in over 400 of our 500 schools, and plans indicate that it will be operating in all schools this year.

Summer schools were restored in 1955 on the basis as they had been in 1932. Enrollment has soared in the years since that of 19,320 in 1955 to approximately 200,000 as of this summer.

The concept of summer school has changed from one for makeup, although some students still use it for this purpose, to one of enrichment. Traditionally, also, summer school programs were offered only to high school students and eighth grade pupils who needed 2 more months of study to enter high school.

We have added remedial classes for pupils in the sixth, seventh, and eighth grades, as well as other types of special programs for high and elementary pupils.

Our most spectacular success, however, has come with our special summer schools for grades 1 to 6. We started with 3 schools in inner city areas in 1960 and have progressed to 30 this summer.

With 600 pupils per school, we are this year serving 18,000 children in the schools shown on this map. Class membership is held to 25 with 4 classes per grade. At each grade level, pupils selected for one class are reading above grade level; for another class, approximately at grade level; and for two others, below grade level.

Surrounding schools are invited to recommend pupils so that the advantages of the program affect over 100 schools.

Parents are involved. Extra staff is provided. Our success has been rewarding judged by the accelerated rate of improvement in reading made in the summer and held thereafter as determined by testing 9 months later. At $50,000 per school, the total cost of this summer's program for the 30 schools is approximately $1,500,000.

Another example of compensatory education found largely in the inner city is that of our afterschool reading classes. These are held two afternoons a week for the same children.

This year we have had 1,395 classes in 221 schools serving approximately 25,000 pupils. In addition, in a number of schools in the shaded area, we have opened afterschool reading clinics and afterschool libraries.

In 1955 the first upper grade center was established at McKinley in the inner city directly west of the central business section. Seventh- and eighth-grade pupils were brought together from surrounding elementary schools for an improved program of education which schools having several hundred pupils of one grade level can provide.

Followup of some of the initial classes indicated that pupils did better in the center, that more entered high school and more finished.

Another type of center was established in 1962 when a new building for Drake Elementary School, south of the Loop, freed an old building where we established the first of eight special education and vocational guidance centers for the overage pupils in surrounding schools.

The centers are small; class size is limited to 18 to 20; the instruction intensive; and the guidance directed toward motivation and vocational preparation. We have ample evidence of our success with the eight centers.

Of the 3,053 pupils who have been graduated from these centers, 2,793 entered high school. Principals of the centers estimated that 1,611 would not have done so without the program in the centers. Principals also reported that at least 1,886 graduated earlier than they would have otherwise.

In February 1962, when the first center opened at the Drake, there were 9,069 pupils in our elementary schools who were 15 years of age and over. The number had decreased to 5,480 by September 1964.

Chicago was part of the team pioneering educational television beginning in 1960. It is now possible to secure an associate of arts degree entirely through television.

In fact, 95 graduates had done so by April 1965 and 900 more junior college graduates had taken one-fourth of their work through TV courses. A total of over 34,000 students have enrolled in 53,000 TV junior college programs since 1956.

This provision represents opportunity for mothers with children as well as those gainfully employed. These benefits are provided for all who will avail themselves of them.

In addition, the elementary school pupils enrolled in four schools in the vicinity of a near North Side public housing project have the advantage of a unique closed circuit TV system operating out of the Byrd School.

This program utilizes the particular strengths of teachers for the benefit of large numbers of children.

We have been particularly successful in our Head Start program. Perhaps part of our success can be attributed to our own local head start of 1964 when in special summer schools we introduced prekindergarten classes.

Of our remaining categories of programs two others will be presented here. The first of these is a group of programs directed to meet the needs of disadvantaged pupils and resulting in improvement for Negroes, in the main, because they comprise so much of the disadvantaged group.

One such program is conducted for 2 days before the opening of school each September. The program is conducted in the areas of the city of highest school mobility and is directed toward counseling and placement of elementary school pupils who are new to the school.

This program has been conducted annually for 4 years.

Another program, called the urban youth program, is directed toward the dropout. Begun in 1961, it consists of an automatic referral of dropouts to the center, an invitation to counseling, job preparation workshops, and special educational and training programs. The training phases were recently expanded with a manpower grant of $867,000.

Other programs that benefit Negro children are citywide in nature and so of another category. Our curriculum is continuously studied and revised with special attention to basic courses as well as advanced study courses.

Some of the special programs for special needs of children have already been presented. There is a continuing program of innovations and experiments; many of these are specifically planned in an endeavor to find new and improved ways of meeting the needs of the disadvantaged child.

This map refers to the special classes we have for educable mentally handicapped and where they are located. Every child in school has a hearing and vision test in first grade and a second test in the middle grades.

Followup and referral for treatment are provided where needed by our corps of teacher-nurses. In the last 4 years we have doubled our high school counselor staff and expanded the guidance program in our upper grade centers.

I turn now to the subject of expenditures in schools of varying racial composition. Many studies have been made. Many groups have drawn interferences from some data because they did not take other factors into account.

For example, it is true that less money is spent on maintenance in some schools than on others. Newer schools require less maintenance and less repair than do older ones. The map showing the locations of schools built since 1951 has been presented. I am sure you recall their preponderance in the shaded areas. From this standpoint alone, it can be expected that the maintenance cost will be less in these areas.

But the capital outlay cost has been greater. It would be the worst of management if both capital outlay and maintenance figures had risen equally. Repair or repainting costs fall into the same category.

But expenditures for books and supplies fall into a different category. On report, which can be documented, indicates that the average per capita expenditure for books and supplies was lowest in schools attended by white pupils.

It was highest in schools attended predominantly by Negro pupils. Expenditures for books and supplies in integrated schools fell between the other two. Textbook and supply expenditures represent a determined effort to provide compensatory education.

Other efforts on behalf of the disadvantaged have also been made. One important one is the hot lunch program.

This map indicates the schools where hot lunch service is available at 27 cents, the citywide price, and where large numbers of free lunches are served.

True, this service is most often available in schools built since 1953 but these are located, as earlier maps have shown, in the deprived areas—mainly those of high Negro enrollment.

In the areas of the city where no new buildings have been constructed and existing buildings have been in use a long time, there is little, if any, lunchroom service.

And there are other evidences of progress:

Despite the handicap of being unready to undertake school tasks at school entrance, and the handicapping effects of mobility and poverty, these children's achievement is at least commensurate with their school learning ability as revealed in the testing program at the beginning of eighth grade.

We find in each of the nine districts in the inner poverty ring that the percentage of pupils scoring at the midpoint or above in reading achievement equals or exceeds the percentage of pupils scoring at the midpoint or above on the test of school learning ability.

Despite the fact that our enrollments remain high, both overageness and the failure rate have been reduced. Smaller class size, special compensatory programs, and increased expenditures on textbooks have influenced the failure rate which has dropped from a high of 6.28 in the 1956–57 school year to 4.46 in the 1962–63 school year.

Annual admissions have resulted in the fact that the median age at first grade entrance has risen by a few months at an age when months are important, meaning that the children are more mature for the tasks of school.

Citywide, the percent of high school graduates planning to enter college has risen approximately 10 percentage points in 10 years.

Citywide the number of scholarship awards has risen over 150 percent in the same period of time. The number of recipients has more than doubled and the number of college-bound graduates receiving awards has increased 6.4 percentage points.

I turn now to a discussion of the availability of financial resources for education. These are seven separate tax funds from which local revenues come to finance the public schools. Only three of them concern us here: the educational, the building, and the textbook funds.

Each has a separate tax rate. Local financial efforts account for 76 percent of our total revenue receipts.

In 1953, the educational tax rate stood at $1.10 per $100 of assessed valuation. It stands today at $1.71. The building tax rate which was 19 cents per $100 of assessed valuation in 1953 stands today at 30 cents.

The textbook rate has stood at 3.25 cents since 1962, a year of increase over former rates. The 1965 State legislature granted an increase for 1966 to 5 cents.

We thus have a total local combined property tax rate of over $2 per $100 of assessed valuation for the educational, the building, and the textbook funds. This chart indicates that 72 percent of our school dollar comes from the property tax.

It is my own feeling that local real estate cannot bear all of the costs necessary and desirable for the operation of schools.

Two significant facts must be added to those already presented. First, the assessed valuation per pupil in Chicago has declined from slightly over $22,000 in 1959 to somewhat more than $19,000 in 1963. It has declined nearly $4,000 since 1951. Thus, as more children come to school to be educated and the assessable dollars per child in Chicago decline, there is less in resources upon which to draw. Pupils increase faster than property values.

Compensatory education requires more in the way of financial expenditure than does education for the culturally advantaged. It is a matter of public record that the Chicago public schools have developed plans to make a massive attack upon the efforts of cultural deprivation and at the same time improve the quality of education in all our schools, including those in the most advantaged areas.

An initial plan for a saturation of services and programs for one district was developed and approved in 1963, subject to securing funds. An overall plan for the city was developed during the 1964–65 school year.

As part of our continuing effort to have quality education for each child according to his need, detailed school-community plans have been developed. These include quality programs and services for children in disadvantaged areas as well as programs for the stabilization of integrated areas.

Nearly a billion dollars will be needed by Chicago alone over the next 10 to 20 years to do what should be done. Chicago does not have that kind of money. Neither do the other large cities that share Chicago's problems.

I refer to Chicago's school building needs of $800 million and current annual budget needs in excess of $200 million beyond the present budget.

The foregoing has presented the problems that have faced the Chicago public schools because of social changes and social problems that impinge upon the school. It outlined some of our major efforts to resolve the problems and to meet the needs of the children who are the innocent victims of social forces.

I have tried to show that we have placed heavy emphasis upon improving the educational opportunity of culturally deprived pupils. In 1957 Chicago took the lead with the Great Cities Research Council for School Improvement, in a study of the developing problems stemming from the urbanization of the culturally deprived child.

These 3 of some 20 charts were developed at that time. The first indicates what the teacher sees as the child of limited background comes to school. The second depicts what further study of the child reveals, and the third indicates his needs.

In addition to providing an improved program of education, we have taken steps which have fostered integration. These include—

1. Altering school attendance areas.
2. Transferring special education pupils.
3. Reorganizing schools with various grade levels.
4. Instituting the permissive transfer.
5. Recommending several cluster plans.

Housing patterns, however, pose problems in our efforts to provide opportunities for integrated education for significant numbers of children.

To illustrate what I mean, let us look again at the map which shows that whereas in approximately one-third of the city there is 1 Negro elementary pupil for 174 white pupils, in two-thirds of the city there are 2 Negro elementary school pupils to each white pupil.

Integration requires substantial numbers of white pupils as well as Negro pupils.

This is not to say that we believe nothing more should be done to help changing neighborhoods to stabilize or to continue to experiment with procedures which will result in additional integration.

We do believe it is desirable for children of different races to associate with and to come to know and to understand each other, but this requires children of both races.

We will continue to experiment toward the end that this association may be provided.

We do want to emphasize, however, that the Negro child in a school predominantly or all Negro in enrollment is as worthy of as much educational opportunity, or more if needed, as if he were in an integrated school.

And he may need our education efforts even more because he may live in the poorest of the community environments.

We do believe, further, that every effective procedure which we or others have developed and for which no additional funds are needed should be spread and used with all children for whom the procedures are appropriate. This we are doing.

We do believe that every effective procedure which we or others have developed and for which funds beyond our resources are needed should be supported and spread. This may mean expanded Federal assistance.

We do believe that there must be continued and concentrated effort to find new and imaginative ways of meeting the problems of the large metropolitan areas, including ours in Chicago.

We do believe that we must, and that working together we can, find solutions to our large and complex problems.

The distinguished record of the U.S. Congress through this committee in sensing educational needs and in developing creative and useful legislation to meet the needs suggest that you will see the role you can play in advancing the cause of the education of young people beyond the best expectations of all previous and recent educational legislation.

Our goal is to provide the best possible education, intellectually, socially, and emotionally, for every child, white or Negro, so that each as an individual, may become, for his own benefit and that of his family and this Nation, all that he is capable of becoming.

There is much to be done if we are to provide the total program which each child must have according to his need. Let all of us work together to move ahead with our task.

I would like at this time to have Mr. Drayton take just 2 minutes and refer to the program of Head Start.

Mr. DRAYTON. Child development centers under Project Head Start, funded under the Economic Opportunity Act, opened Tuesday July 6, 1965, in 132 Chicago public schools.

Located in disadvantaged areas throughout the city, the 132 centers enrolled 20,733 pupils, exceeding the quota for the Chicago public schools by 233 children.

Previous experience during the summer of 1964 gave Chicago a head start on Head Start. In 1964 the Chicago public schools operated 46 preschool classes in the special summer schools serving 1,150 preschool children.

The board of education budget supported these classes in full. This program not only gave the staff experience with children of this age group, but also afforded an opportunity to develop some new prekindergarten curriculum materials—a further head start for Head Start.

The recruitment of the 20,733 children this summer followed one or more of these patterns:

(*a*) Personal contacts with parents by teachers in their homes, in churches, and in shopping centers during recruitment. This provided teachers with excellent opportunities to meet and become acquainted with the people in the community and to interpret this school program.

(*b*) Cooperation with other public and private agencies, block clubs, and civic organizations volunteering to help with the recruitment. Improvement in the understanding of the Chicago public schools and stronger working relationships with these agencies resulted.

(*c*) Publicity by radio, TV, and the press, which were helpful in the recruitment program.

Each class of 15 pupils has a professionally qualified teacher and the services of a teacher aid, and a children's assistant, for a total of 649 teachers, 660 teacher aids, and 335 children's assistants.

Additional services are provided by teacher-nurses, parent-coordinators, and adjustment teachers as in the special summer schools. The 132 centers are grouped into 20 sections, each section administered by a principal-coordinator and staff consisting of experts in preschool curriculum.

The entire program is supervised by three area coordinators, an assistant director, a director, and an assistant superintendent.

In addition to the educational and social services, a comprehensive medical program is provided through the bureau of health services of the Chicago public schools.

At 13 designated centers full medical and dental staffs are maintained to provide complete medical examinations of children, including blood tests and urinalyses. During the first 2 weekends, on Saturdays and Sundays, a total of 5,452 children were examined.

Studies will be made annually of these children as they progress through school in order to determine if their progress in the next 6 years is greater than that of comparable pupils who did not enroll in Head Start.

Mr. WILLIS. Thank you.

I would like you to meet the principal of our Kennedy High School.

Chairman POWELL. Dr. Willis, I must state the only thing we can do now because of the time is to have your associates file their reports or statements and you can refer any questions of the committee to anyone you desire.

Mr. WILLIS. That is very good.

Chairman POWELL. I think that the members of the committee may have questions. Without objection, it is so ordered. All statements of the associates of Dr. Willis will be filed for the record.

Dr. Willis, thank you for your presentation.

Mr. QUIE. How many statements are there?

Chairman POWELL. As many as Dr. Willis may desire.

(The statements referred to follow:)

STATEMENT OF BENJAMIN C. WILLIS, GENERAL SUPERINTENDENT, CHICAGO PUBLIC SCHOOLS

I am Benjamin C. Willis, general superintendent of the public schools of Chicago, where I have served since September 1, 1953. I appreciate having this opportunity to testify concerning the problems confronting the Chicago public schools over the recent years and the progress we have made in meeting them. The school problems have had their origin in social changes and social problems. National as well as local technological changes have stimulated an upsurge of population mobility—from rural to urban centers and from urban centers to suburbia. The increased birthrate of the fifties and heavy in-migration of families with many school age children sent our enrollments upward sharply. Racial changes have taken place, and segregated housing patterns have affected the composition of many Chicago public schools. The school financial resources are insufficient for all that needs to be done, but nevertheless the Chicago public schools have made vast efforts of several kinds to meet the needs of an increasingly diverse school population.

What the Members of Congress and particularly the members of this committee seek is greater educational opportunity for all children each according to need. So do we in education, and I can speak especially for those of us in Chicago. It was in such a spirit that this very committee gave impetus to the Vocational Education Act of 1963 which has opened the gate for the succeeding legislation that will further increase educational opportunity. This distinguished contribution on your part is known in the Capital, and it is becoming increasingly well-known elsewhere.

ENROLLMENT AND RACIAL CHANGES

In discussing enrollment increases, I wish first to relate them to total population statistics for Chicago. According to the census, the city of Chicago had an absolute loss in population of 70,000 between 1950 and 1960. During the same 10 years the Chicago public schools gained over 120,000 pupils. In the 4 years since 1960, our enrollments have risen another 90,000 for a total increase of 211,000 in 14 years. The increase alone is larger than the school enrollment of all but five or six cities of America.

The accelerating rate of growth during the last 4 years is significant to our discussion. Between 1952 and 1964 the elementary schools experienced a 44-percent increase. Between 1952 and 1961, a 10-year period, the high schools grew by 13 percent. The high school increase jumped to 36 percent between 1960 and 1964. The high school enrollments increased 45 percent between 1952 and 1964. Combining the elementary and high school rates of increase for the crucial years 1959 to 1964 we find the rate of increase to be 21 percent or 4.2 percent per year.

The breakdown of the figures follows.

Enrollment data

Elementary enrollment:	
1952	284, 240
1964	407, 907
Increase	[1] 123, 667
High school enrollment:	
1952	97, 740
1960	104, 688
1961	110, 380
1964	141, 995
Increase:	
1952–61 (10 years)	[2] 12, 640
1960–64 (4 years)	[3] 37, 307
1952–1964	[4] 44, 255
Total enrollment:	
1959	488, 829
1964	592, 438
Increase (5 years)	[5] 103, 609
(4.2 percent average increase per year.)	

[1] 44 percent.
[2] 13 percent.
[3] 36 percent.
[4] 45 percent.
[5] 21 percent.

The public schools of Chicago gained 2 pupils for every 1 of the 70,000 citizens who moved out of the city between 1950 and 1960 and has gained in enrollment at an accelerated rate since 1960.

It is to be noted also that the growth in enrollment was not distributed evenly throughout the city, but took place largely in areas where in-migrants settled and in some outlying areas of the city which were sparsely setled until the close of World War II. On this map of the city are indicated the areas where the percent of increase in the elementary school population was 60 percent or more.

It is also necessary to relate the population and enrollment data to racial composition. According to the census, the Negro population constituted 2 percent of Chicago's total population in 1910, and in 1960 the Negro population constituted nearly 23 percent of the city's population. However, data on school-age population is also relevant. Negroes comprise 34 percent of the elementary school age population in Chicago and 27 percent of the high school age group in the city. In contrast, 54 percent of the elementary school pupils was observed to be Negro in the teacher observation count of 1963 and 36 percent of the high school students was observed to be Negro. Thus a high percentage of Negro youth attend public schools rather than private schools. The number of white pupils attending public school is about equal to the number attending private schools.

Moreover, in the period between 1950 and 1960 the number of white children under 5 years of age residing in Chicago deceased by 8 percent or 22,643 children. During the same period of time nonwhite children under 5 years of age residing in Chicago increased by 141 percent or 76,139 children. If these trends continue, it will become increasingly difficult to provide integrated education of a meaningful sort.

I have had prepared two maps of the city with names of schools indicated one showing elementary school areas and one high school areas. Let us look first at the elementary school map. We have shaded orange the areas of the city where at least 10 percent of the individual school enrollments are Negro according to the second teacher observation count taken in the fall of 1964. Shaded in green are the areas where the schools have some but less than 10 percent Negro enrollment according to the same count. The Negro children are present in many of the schools in the outlying areas as a result of administrative recommendations approved by the board of education. The location of special education classes is one example, in the Marquette, Morrill, and Young schools, for instance. The development of upper grade centers for seventh and eighth grade pupils is another, as at the Spry and the Henderson.

Let me interrupt the discussion of the elementary map to show you the racial situation in the high schools. The orange and green shadings here represent the same percentage of Negro enrollment as on the elementary map. Note that most of our high schools have some Negro students enrolled. The permissive transfer plans of 1963 and 1964 account for the enrollment of Negro pupils in still other schools, as at Amundsen and Roosevelt, for instance.

Returning now to the elementary map, the grayed areas of the map represent nonresidential sections of the city, industrial areas or parks, or waterways. Note the proportion particularly in the south portion of the city. Chicago, you notice, is a long, narrow city of 226 square miles. Sixty-seven square miles or practically one-quarter of the city is nonresidential.

I have had prepared also this map which indicates in orange the areas, on the basis of U.S. census data, which in 1950 had 10 percent or more Negro enrollment. The green area represents the changes to 1960 or the additional area having 10 percent or more Negro; thus the orange and green combined indicate the area of the city which were at least 10 percent Negro in 1960.

COMMUNITY CHARACTERISTICS

Density of population is a characteristic of the portions of the map shaded in the two colors, particularly in the orange portions. Residential areas in Chicago total approximately 160 square miles. The area shaded in orange approximates 50 square miles, or approximately one-third of the residential area. Yet one-half of our elementary school pupils reside in these 50 square miles. The pupil population density in various areas of the city ranges from 1,000 to 8,000 per square mile.

I want to point out the contrast above and below the diagonal line which approximates North Avenue. North of the line, there is 1 Negro elementary school pupil for every 174 white pupils. South of the diagonal line, there are two Negro elementary school pupils for every one white pupil. You will note also the extent to which nonresidential enterprises take up what at first glance seem to be open areas of the South Side. Thus in the area which appears large, residential sections are actually limited with many isolated residential pockets.

Using U.S. census tract figures for 1960, the Chicago Committee on Urban Opportnunity developed a series of maps that ranked the various communities in Chicago on five factors which contribute to poverty. The factors are income, education of adults, housing, welfare or public assistance, and delinquency. A composite rank was then developed and charted. We have superimposed on our base map the areas designated as having the three ranks that denote the most serious poverty situations. You will note both the extent of the poverty areas and the degree to which they coincide with the orange area.

On July 10, 1963, in a statement to the board of education, I presented a study of the educational levels of adults in Chicago, taken from the U.S. census tracts of 1960 and organized by districts. The basis of the study was the years of schooling completed by adults 25 years of age or older, by place of residence.

The study highlights Chicago's educational problem, as affected by in-migration and urbanization, and presents a startling picture. In 1940, the median years of schooling completed by Chicago adults of 25 years of age or more was 8.75 years, slightly higher than the median for Illinois as a whole or for the United States as a whole. Chicago exceeded Illinois and the Nation again in 1950, with a median of 10.5. By 1960 the median for the Nation and for the State had risen to 10.6 and 10.5, respectively, but the median for Chicago had dropped slightly, falling behind both Illinois and the United States. On this map we have indicated the two school districts with median levels of education for adults that are lower than the median of any State in the Union.

In summary up to this point, the data presented so far depict a city with a changing population as to both race and education level of adults. The city has widespread poverty, and it is losing population while its public school enrollments soar. Its Negroes dwell in segregated areas to a large extent, but the schools have fostered integration which exists in the schools in many areas in the city.

PUPIL CHARACTERISTICS

I turn now to certain pupil characteristics of significance to the problems of education. I have already stated that approximately half of our elementary school pupils live in the areas now identified as the poverty areas. Another striking fact is that about 50,000 of our schoolchildren live in public housing.

A study by the research council of the great cities program for school improvement based on U.S. census data indicates, as I have already stated, the much greater number of Negro births than of white births. In addition, this study shows that the increase resulting from in-migration was even greater between 1950 and 1960 than it had been between 1940 and 1950. Thus, many children in the inner poverty ring are handicapped by the effects of mobility and by the effects of early childhood in another type of community.

Population changes within a single age group over 2 decades

Decade of birth	Chicago, nonwhite population		
	1940	1950	1960
1950–60			[1] 223,947
1940–50		[1] 93,257	[2] 123,261
1930–40	[1] 40,511	[2] 63,750	[3] 121,171
1920–30	42,641	101,138	130,415
1910–20	47,307	94,042	95,993

[1] Under 10 age group.
[2] 10 to 19 age group.
[3] 20 to 29 age group.

Research of our own bears this out in a limited way. A study was made of the birthplaces of the first 1,297 pupils enrolled in our education and vocational guidance centers for special placement of overage elementary school pupils. These centers are located in the shaded areas in the main. Approximately 57 percent of the 1,297 studied was born outside Chicago. The largest group, 311 or 24 percent of the 1,297, was born in Mississippi. Another 11 percent was born in the Deep South, exclusive of Mississippi. As a sidelight, 52 percent of both mothers and fathers was born in Mississippi or other Deep South States.

Ninety-four percent of the 1,297 pupils studied had attended from 2 to 10 or more schools. Thus, only 6 percent of the group had attended only one school prior to enrollment in the center. The median number of schools attended was 4.6.

Of the 1,297, 25 percent had resided in Chicago 4 years or less. The study further emphasized the results of mobility in overageness for grade. The median age for the 1,297 was 15 years and 7 months.

Another characteristic of the pupils residing in the inner city is that of lack of those preschool experiences which do so much to prepare a child for the tasks of first grade. At entrance to first grade in September, all pupils are tested for readiness for school learning. The percent of pupils ready for formal learning in 1963 ranged by districts in the city from 32.8 to 88.9 percent. In the most deprived areas of the orange section, no district had as much as 50 percent of its entering first-grade pupils ready for school. Behind when they enter school, these children pose serious challenges to teaching not experienced in the areas of the city where large majorities of the children are ready for school. To meet these needs in 1960 we introduced special summer schools for grades 1 to 6—these are treated more fully later. For the same reason, in 1964 we introduced prekindergarten classes into the special summer schools and three classes for the next younger age group. These will also be discussed more fully later.

In summary so far, great numbers of our public elementary school pupils live in poverty, and many in public housing. Numbers of them have in-migrated, a high proportion from Mississippi and other Deep South States. Numbers of them have been here a comparatively short time. They have attended many different schools year after year. Many are over age in the middle and upper grades and many are not ready for first-grade work when they start school.

EVIDENCE OF PROGRESS

With this as background, I wish to present some examples of our efforts to meet the new conditions and needs and to present what I believe to be evidence of our progress.

The addition of 211,000 pupils has posed a major school housing problem to which we responded with a massive building program. With the five new schools which will open in the fall of 1965, we will have constructed or in a few cases acquired 277 buildings and additions since 1951. These buildings will have brought 5,601 classrooms into service. Today approximately 40 percent of our pupils attend school in a modern building less than 10 years old. By looking at this map one can see the extent to which the new buildings have been constructed or acquired in the areas shaded green or orange.

The question has been asked why we constructed the schools where we did and not in some other place. It has been our policy to build the buildings where the children are and where enrollment growth is anticipated as children move through the grades. In a number of cases, the schools now in the orange area on the map were on the edge of racial areas or considerably over the edge when the school sites were selected and the plans were drawn. The movement of large numbers of the Negro population into new areas of residence, or heavy concentration of them in areas where there was an integrated community at the time of planning of the building, has obviated the effects of the placement of the schools. The Revere addition, the Hefferan, the Marconi, and Harlan High Schools are examples. Observation would indicate that Harlan had a 50–50 racial composition when it opened. Today it is 90 percent Negro.

We are proud of our modern buildings and attribute their architectural distinction and the speed of the program in part to the fact that beginning in 1953 we employed outside architects in addition to the employees in our own building department. I might add that a sizable investment has been made by the board of education for the purchase of over 216 new sites or additions to sites for schools.

As a result of our building program, the educational program has been assisted and improved. Not only did we acquire educational tools that contribute much to the program of education through modern design and technical advances but we also eliminated double shift. The last class went off double shift on January 28, 1963. We have searched the records and have established the fact that for the first time in 100 years Chicago was free of double shift as of that day. The single shift has continued in every school in the city since then. We have no pupils on double shift today.

Simultaneously, we reduced class size from a citywide average of slightly over 39 pupils per room in 1953 to a class size of slightly over 32 in 1963. Every school in the city is staffed with the same ratio of pupils to teachers.

Increases in classrooms and reduction in class size require an increase in the teaching staff. The number of teaching positions has grown from some 13,000 to 21,000 today, a 50-percent increase. All of our teachers are certified and meet State requirements at least. It is true that as a group they are younger than when we went to school, though we, too, had our young and inexperienced but enthusiastic teachers. The median age of all Chicago's women teachers was 50 in 1959 and had dropped to 39 in 1963. The median for the men dropped from 41.2 to 35.9.

Securing sufficient teachers presents a complicated problem. In addition to staff for new positions, it is necessary to recruit 1,700 a year just for replacements from retirements, resignations, maternity leaves, or illness.

Staffing the inner city schools with experienced teachers continues to pose problems. Teachers prefer to work as near their homes as possible. This fact is repeatedly illustrated at the time of initial assignment. Teachers who have passed the certificate examination are called in order and presented with all the vacancies in the city related to their certificate title. These vacancies are shown on a large map with colored pins denoting the type of vacancy. Invariably the candidate will select a school as close to his home as possible, regardless of his race.

However, we have made many efforts to encourage experienced teachers to take or keep assignments in the inner city schools. We—

Devised a transfer on loan.

Reduced the number of schools a teacher may list in requesting a transfer.

Confined the after-school teaching assignments to the home school faculty. (This means additional income for these teachers.)

Place nonexamination certified teachers on the first step of the regular salary schedule.

Expanded student teaching.

Increased recruitment nationally with a director in charge.

Established a formula for staffing by which a percentage of vacancies or new positions in the schools with stable and experienced faculties would be reserved for new teachers.

Established a new salary schedule having a minimum salary higher than the maximum in 1953.

When the superintendent recommended an increase in the percentage of positions to be reserved, the board of education did not adopt the report because of objection of teachers.

Much has also been done in the program of education itself. Team teaching which utilizes to the greatest advantage the strengths of teachers has been initiated in a number of schools. Several years ago we initiated a program of continuous development in the primary grades beginning with first grade. This program is sometimes called the nongraded program, but whatever its name it is intended to replace the concept of passing and retention in the early grades with the concept of continuous development in accordance with the child's growth patterns and not in accordance with rigid grade levels. This pattern has been found particularly helpful for children of limited background. The program has been instituted in over 400 of our 500 schools, and plans indicate that it will be operating in all schools this year.

Summer schools were restored in 1955 on the basis as they had been in 1932. Enrollment has soared in the years since that of 19,320 in 1955 to approximately 200,000 as of this summer. The concept of summer school has changed from one for makeup, although some students still use it for this purpose, to one of enrichment. Traditionally, also, summer school programs were offered only to high school students and to eighth grade pupils who needed 2 more months of study to enter high school.

We have added remedial classes for pupils in the sixth, seventh, and eighth grades, as well as other types of special programs for high and elementary pupils.

Our most spectacular success, however, has come with our special summer schools for grades 1 to 6. We started with three schools in inner city areas in 1960 and have progressed to 30 for this summer. With 600 pupils per school, we are this year serving 18,000 children in the schools shown on this map. Class membership is held to 25 with 4 classes per grade. At each grade level, pupils selected for one class are reading above grade level; for another class, approximately at grade level; and for two others, below grade level. Surrounding schools are invited to recommend pupils so that the advantages of the program affect over 100 schools. Parents are involved. Extra staff is provided. Our success has been rewarding judged by the accelerated rate of improvement in reading made in the summer and held thereafter as determined by testing 9 months later. At $50,000 per school, the total cost of this summer's program for the 30 schools is approximately $1,500,000.

Another example of compensatory education found largely in the inner city is that of our after-school reading classes. These are held two afternoons a week for the same children. This year we have had 1,395 classes in 221 schools serving approximately 25,000 pupils. In addition, in a number of schools in the shaded area, we have opened after-school reading clinics and after-school libraries.

In 1955 the first upper grade center was established at McKinley in the inner city directly west of the central business section. Seventh- and eighth-grade pupils were brought together from surrounding elementary schools for an improved program of education which schools having several hundred pupils of one grade level can provide. Followup of some of the initial classes indicated that pupils did better in the center, that more entered high school and more finished.

Another type of center was established in 1962 when a new building for Drake Elementary School, south of the Loop, freed an old building where we established the first of eight special education and vocational guidance centers for the overage pupils in surrounding schools. The centers are small, class size is limited to 18 to 20; the instruction intensive; and the guidance directed toward motivation and vocational preparation. We have ample evidence of our success with the eight centers.

Of the 3,053 pupils who have been graduated from these centers, 2,793 entered high school. Principals of the centers estimated that 1,611 would not have done so without the program in the centers. Principals also reported that at least 1,886 graduated earlier than they would have otherwise. In February 1962 when the first center opened at the Drake, there were 9,069 pupils in our elementary schools who were 15 years of age and over. The number had decreased to 5,480 by September 1964.

Chicago was part of the team pioneering educational television beginning in 1960. It is now possible to secure an associate of arts degree entirely through courses taken by television. In fact, 95 graduates had done so by April 1965 and 900 more junior college graduates had taken one-fourth of their work through TV courses. A total of over 34,000 students have enrolled in 53,000 TV junior college programs since 1956. This provision represents opportunity for mothers with children as well as those gainfully employed. These benefits are provided for all who will avail themselves of them.

In addition, the elementary school pupils enrolled in four schools in the vicinity of a near North Side public housing project have the advantage of a unique closed circuit TV system operating out of the Byrd School. This program utilizes the particular strengths of teachers for the benefit of large numbers of children.

We have been particularly successful in our Head Start program. Perhaps part of our success can be attributed to our own local head start of 1964 when in special summer schools we introduced prekindergarten classes.

Of our remaining categories of programs two others will be presented here. The first is a group of programs, directed to meet the needs of disadvantaged pupils and resulting in improvement for Negroes, in the main, because they comprise so much of the disadvantaged group.

One such program is conducted for 2 days before the opening of school each September. The program is conducted in the areas of the city of highest school mobility and is directed toward counseling and placement of elementary school pupils who are new to the school. This program has been conducted annually for 4 years.

Another program, called the urban youth program, is directed toward the dropout. Began in 1961, it consists of an automatic referral of dropouts to the center, an invitation to counseling, job preparation workshops, and special educational and training programs. The training phases were recently expanded with a manpower grant of $867,000.

Other programs that benefit Negro children are citywide in nature and so of another category. Our curriculum is continuously studied and revised with special attention to basic courses as well as advanced study courses. Some of the special programs for special needs of children have already been presented. There is a continuing program of innovations and experiments; many of these are specifically planned in an endeavor to find new and improved ways of meeting the needs of the disadvantaged child. Every child in school has a hearing and vision test in first grade and a second test in the middle grades. Followup and referral for treatment are provided where needed by our corps of teacher-nurses. In the last 4 years we have doubled our high school counselor staff and expanded the guidance program in our upper grade centers.

I turn now to the subject of expenditures in schools of varying racial composition. Many studies have been made. Many groups have drawn inferences from some data because they did not take other factors into account. For example, it is true that less money is spent on maintenance in some schools than in others. Newer schools require less maintenance and less repair than do older ones. The map showing the locations of schools built since 1951 has been presented. I am sure you recall their preponderance in the shaded areas. From this standpoint alone, it can be expected that the maintenance cost will be less in these areas.

But the capital outlay cost has been greater. It would be the worst of management if both capital outlay and maintenance figures had risen equally. Repair or repainting costs fall into the same category.

But expenditures for books and supplies fall into a different category. One report, which can be documented, indicates that the average per capita expenditure for books and supplies was lowest in schools attended by white pupils. It was highest in schools attended predominantly by Negro pupils. Expenditures for books and supplies in integrated schools fell between the other two. Textbook and supply expenditures represent a determined effort to provide compensatory education.

Other efforts on behalf of the disadvantaged have also been made. One important one is the hot lunch program. This map indicates the schools where hot lunch service is available at 27 cents, the citywide price, and where large numbers of free lunches are served. True, this service is most often available in the schools built since 1953, but these are located, as earlier maps have shown, in the deprived areas—mainly those of high Negro enrollment. In the areas of the city where no new buildings have been constructed and existing buildings have been in use a long time, there is little if any lunchroom service.

And there are other evidences of progress.

Despite the handicap of being unready to undertake school tasks at school entrance, and the handicapping effects of mobility and poverty, these children's achievement is at least commensurate with their school learning ability as revealed in the testing program at the beginning of the eighth grade. We find in each of the nine districts in the inner poverty ring that the percentage of pupils scoring at the midpoint or above in reading achievement equals or exceeds the percentage of pupils scoring at the midpoint or above on the test of school learning ability.

Despite the fact that our enrollments remain high, both overageness and the failure rate have been reduced. Smaller class size, special compensatory programs, and increased expenditures on textbooks have influenced the failure rate which has dropped from a high of 6.28 in the 1956–57 school year to 4.46 in the 1962–63 school year. Annual admissions have resulted in the fact that the median age at first grade entrance has risen by a few months, at an age when months are important, meaning that the children are more mature for the tasks of school.

Citywide, the percent of high school graduates planning to enter college has risen approximately 10 percentage points in 10 years. Citywide the number of scholarship awards has risen over 150 percent in the same period of time. The number of recipients has more than doubled and the number of college-bound graduates receiving awards has increased 6.4 percentage points.

FINANCE

I turn now to a discussion of the availability of financial resources for education. There are seven separate tax funds from which local revenues come to finance the public schools. Only three of them concern us here: the educational, the building, and the textbook funds. Each has a separate tax rate. Local financial efforts account for 76 percent of our total revenue receipts.

In 1953, the educational tax rate stood at $1.10 per $100 of assessed valuation. It stands today at $1.71. The building tax rate which was 19 cents per $100 of assessed valuation in 1953 stands today at 30 cents. The textbook rate has stood at 3.25 cents since 1962, a year of increase over former rates. The 1965 State legislature granted an increase for 1966 to 5 cents.

We thus have a total combined property tax rate of over $2 per $100 of assessed valuation for the educational, the building, and the textbook funds. This chart indicates that 72 percent of our school dollar comes from the property tax. It is my own feeling that local real estate cannot bear all of the costs necessary and desirable for the operation of schools.

Two significant facts must be added to those already presented. First, the assessed valuation per pupil in Chicago has declined from slightly over $22,000 in 1959 to somewhat more than $19,000 in 1963. It has declined nearly $4,000 since 1951. Thus as more children come to school to be educated and the assessable dollars per child in Chicago decline, there is less in resources upon which to draw. Pupils increase faster than property values.

Compensatory education requires more in the way of financial expenditure than does education for the culturally advantaged. It is a matter of public record that the Chicago public schools have developed plans to make a massive attack upon the effects of cultural deprivation and at the same time improve the quality of education in all our schools, including those in the most advantaged areas. An initial plan for a saturation of services and programs for one dis-

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trict was developed and approved in 1963, subject to securing funds. An overall plan for the city was developed during the 1964–65 school year.

As part of our continuing effort to have quality education for each child according to his need, detailed school-community plans have been developed. These include quality programs and services for children in disadvantaged areas as well as programs for the stabilization of integrated areas.

Nearly a billion dollars will be needed by Chicago alone over the next 10 to 20 years to do what should be done. Chicago does not have that kind of money. Neither do the other large cities that share Chicago's problems. I refer to Chicago's school building needs of $800 million and current and annual budget needs in excess of $200 million beyond the present budget.

CONCLUSION

The foregoing has presented the problems that have faced the Chicago public schools because of social changes and social problems that impinge upon the school. It outlined some of our major efforts to resolve the problems and to meet the needs of the children who are the innocent victims of social forces.

I have tried to show that we have placed heavy emphasis upon improving the educational opportunity of culturally deprived pupils. In 1957 Chicago took the lead with the Great Cities organization in a study of the developing problems stemming from the urbanization of the culturally deprived child. These 3 of some 20 charts were developed at that time. The first indicates what the teacher sees as the child of limited background comes to school. The second depicts what further study of the child reveals and the third indicates his needs.

In adidtion to providing an improved program of education, we have taken steps which have fostered integration. These include—

altering school attendance areas;
transferring special education pupils;
reorganizing schools with various grade levels;
instituting the permissive transfer;
recommending several cluster plans.

Housing patterns, however, pose problems in our efforts to provide opportunities for integrated education for significant numbers of children.

To illustrate what I mean, let us look again at the map which shows that whereas in approximately one-third of the city there is 1 Negro elementary pupil for 174 white pupils, in two-thirds of the city there are 2 Negro elementary school pupils to each white pupil. Integration requires substantial numbers of white pupils as well as Negro pupils.

This is not to say that we believe nothing more should be done to help changing neighborhoods to stabilize or to continue to experiment with procedures which will result in additional integration.

We do believe it is desirable for children of different races to associate with and to come to know and to understand each other, but this requires children of both races. We will continue to experiment toward the end that this association may be provided.

We do want to emphasize, however, that the Negro child in a school predominantly or all Negro in enrollment is as worthy of as much educational opportunity, or more if needed, as if he were in an integrated school. And he may need our educational efforts even more because he may live in the poorest of community environments.

We do believe, further, that every effective procedure which we or others have developed and for which no additional funds are needed should be spread and used with all children for whom the procedures are appropriate. This we are doing.

We do believe that every effective procedure which we or others have developed and for which funds beyond our resources are needed should be supported and spread. This may mean expanded Federal assistance.

We do believe that there must be continued and concentrated effort to find new and imaginative ways of meeting the problems of the large metropolitan areas, including ours in Chicago.

We do believe that we must, and that working together we can, find solutions to our large and complex problems.

The distinguished record of the U.S. Congress through this committee in sensing educational needs and in developing creative and useful legislation to meet the needs suggest that you will see the role you can play in advancing the cause of the education of young people beyond the best expectations of all previous and recent educational legislation.

Our goal is to provide the best possible education—intellectually, socially, and emotionally—for every child, white, or Negro, so that each, as an individual, may become, for his own benefit and that of his family and this Nation, all that he is capable of becoming. There is much to be done if we are to provide the total program which each child must have according to his need. Let all of us work together to move ahead with our task.

OPERATION HEAD START

(Presentation by member of the staff, Chicago public schools)

Child development centers under Project Head Start, funded under the Economic Opportunity Act, opened Tuesday, July 6, 1965, in 132 Chicago public schools. Located in disadvantaged areas throughout the city, the 132 centers enrolled 20,733 pupils exceeding the quota for the Chicago public schools by 233 children.

Previous experience during the summer of 1964 gave Chicago a "head start" on Head Start. In 1964, the Chicago public schools operated 46 preschool classes in the special summer schools serving 1,150 preschool children. The board of education budget supported these classes in full. This program not only gave the staff experience with children of this age group, but also afforded an opportunity to develop some new prekindergarten curriculum materials—a further "head start" for Head Start.

The recruitment of the 20,733 children this summer followed one or more of these patterns:

(*a*) Personal contacts with parents by teachers in their homes, in churches, and in shopping centers during recruitment. This provided teachers with excellent opportunities to meet and become acquainted with the people in the community and to interpret this school program.

(*b*) Cooperation with other public and private agencies, block clubs, and civic organizations volunteering to help with the recruitment. Improvement in the understanding of the Chicago public schools and stronger working relationships with these agencies resulted.

(*c*) Publicity by radio, TV, and the press, which were helpful in the recruitment program.

Each class of 15 pupils has a professionally qualified teacher and the services of a teacher aid, and a children's assistant, for total of 649 teachers, 660 teacher aids, and 335 children's assistants. Additional services are provided by teacher-nurses, parent-coordinators, and adjustment teachers as in the special summer schools. The 132 centers are grouped into 20 sections, each section administered by a principal-coordinator and a staff consisting of experts in preschool curriculum. The entire program is supervised by three area coordinators, an assistant director, a director, and an assistant superintendent.

In addition to the educational and social services a comprehensive medical program is provided through the bureau of health services of the Chicago public schools. At 13 designated centers full medical and dental staffs are maintained to provide complete medical examinations of children, including blood tests and urinalyses. During the first 2 weekends (on Saturdays and Sundays), a total of 5,452 children were examined.

Studies will be made annually of these children as they progress through school in order to determine if their progress in the next 6 years is greater than that of comparable pupils who did not enroll Head Start.

NEIGHBORHOOD YOUTH CORPS PROGRAM

(Presentation by member of the staff, Chicago public schools)

The neighborhood youth corps program for needy youths was introduced into the Chicago public schools in May 1965. This program has already made great impact upon the youths themselves and upon the schools which they attend.

During the last 7 weeks of the regular school year, 3,150 youths not only acquired training in good work habits, but also earned sufficient money to provide for needed out-of-pocket expenses for such items as bus fares, lunch money, and clothing which enabled them to be economically self-sufficient with respect to school and some other personal expenses.

The schools, too, were provided with services which were beneficial to the administrative and curricular programs. The young people worked as assistants in audiovisual centers, lunchrooms, recreation facilities, supply rooms, shops, and laboratories as aids to teachers, librarians, security forces, and maintenance staffs.

The program in each high school was supervised by a coordinator working under the direction of the principal. General administration of the schoolwide program is under the direction of an assistant superintendent and a director.

The enthusiastic acceptance of the neighborhood youth corps program during this initial stage provided the impact for expanding the summer program to 4,000 youths, in the age group of 16 to 21, in similar positions in summer schools, in Head Start centers, school playgrounds, school natatoriums, and in the central offices of the Chicago public schools.

A special corps of boys, under the supervision of the board of education traveling maintenance crew, was assigned to school ground beautification and rehabilitation. The success of these young men in improving the beauty of school grounds stimulated similar activity on the part of residents near the schools with respect to their own properties.

It is believed that the work attitudes, work habits, and actual skills acquired from this program will have a most beneficial effect upon the youths involved in addition to enabling them to stay in school without undue economic pressure. Moreover, psychological and emotional satisfactions accrue to these young ladies and gentlemen from the performance of useful services.

ADULT DAY SCHOOL

(Presentation by member of the staff, Chicago public schools)

The adult literacy education program of the Chicago public schools, which provides basic education and prevocational programs for relief recipients who have not completed elementary school, was extended on March 1, 1965, to include a day school.

The day school program is housed in a former high school on the South Side which is leased from a private school. The facility provides 16 classrooms, a library-student recreation room, a shop, 2 home economics laboratories, 2 offices for counselors and 1 for a caseworker, and an administrative suite.

Teachers for the adult education center are certified teachers who have had previous experience in adult education programs.

The students enrolled in the program are Cook County Department of Public Aid recipients who are referred to the center through their caseworkers. Those who are referred have not yet graduated from elementary school or have skills at an elementary level, are in good health, and are able to find someone to care for their children while they attend school.

Since the program opened in March of 1965, a total of 347 students have been enrolled. Of this number 17 graduated, 29 were upgraded and enrolled in high school or other types of school programs, 8 entered full-time employment, and 38 withdrew because of illness or other causes over which they had no control.

With respect to achievement: the average reading level and arithmetic level of those who were graduated was seventh grade; the average reading level and arithmetic level of those students who were upgraded and enrolled in high school was eighth grade and seventh grade, respectively; and the average gain in reading and in arithmetic for all students during a 3-month period was 1 year.

For the 32 students who were graduated or upgraded and placed on a job: $7,713 in monthly assistance grants was saved; $92,556 in assistance grants will be saved over a period of a year; $462,780 in assistance grants will be saved over a period of 5 years; and $288,000 in assistance grants (at average of $2,880) would be saved annually for 100 students prepared for employment.

Average age of students is 35; the average number of children is 4.4; the average years lived in Chicago, 17.

DUAL (SHARED-TIME) ENROLLMENT PLAN

(Presentation by member of the staff, Chicago public schools)

An experimental dual (shared-time) enrollment plan to be initiated in September 1965, was adopted by resolution of the Board of Education of the City of Chicago on April 23, 1964. The area designated to undertake the plan was that of the John F. Kennedy High School, a new high school then under construction.

The plan is designed to serve pupils residing within the Kennedy High School attendance area who are eligible for full-time enrollment, but who wish to attend the public high school on a part-time basis. Approximately 800 full-time students and 300 part-time students are expected to enroll.

Under this plan, all students enrolled part time in the educational program of John F. Kennedy High School are subject in their participation to the same rules and regulations as are all full-time students.

According to the guidelines approved by the board of education, students under this dual (shared-time) enrollment plan—

Are accepted only upon the written request of a parent or legal guardian;

Must be in full compliance with the compulsory attendance laws of the State of Illinois;

Must conform to all rules and regulations of the board of education and to those as may be established by the administration of the schools of the city of Chicago;

Are assigned to class schedules, homeroom divisions, and school counselors in the same manner as are all other students in the school;

Shall meet the high school curriculum requirements of the Chicago public schools and shall receive a diploma issued by the Chicago Board of Education (courses not completed at Kennedy High School shall be equal to the courses offered in Chicago public schools);

Shall be permitted to enroll in any subject available to full-time pupils;

Shall be eligible for participation in all athletic and other cocurricular activities if 50 percent or more of their work is taken at Kennedy High School.

STATEMENTS AND DOCUMENTS PRESENTED TO EDUCATION AND LABOR COMMITTEE, HOUSE OF REPRESENTATIVES, BY BENJAMIN C. WILLIS, GENERAL SUPERINTENDENT OF SCHOOLS, CHICAGO PUBLIC SCHOOLS

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Chairman POWELL. Last year, Dr. Willis, in 1964, you had a meeting with our beloved colleague Congressman Dawson concerning the preschool program and you, I believe, agreed to start one in his district. Is that true?

Mr. WILLIS. Yes. We had one a year ago this summer, a preschool program and prekindergarten program. You are referring to an activity on the part of Chicago Teachers College. This was a project first involving some $7,000 to $7,500 for planning; and following that was the question of a facility which we do not have, and which has not yet been purchased.

Chairman **Powell**. In other words, your agreement with Mr. Dawson didn't materialize.

Mr. **Willis**. I think we would have to look at the record for what you refer to as an agreement.

Chairman **Powell**. Now, is it not true that the citywide average of children per classroom in Chicago is 32?

Mr. **Willis**. Yes.

Chairman **Powell**. Is it not true that in the segregated schools 56 percent are above 35?

Mr. **Willis**. I would like Dr. Stack to comment on this.

Dr. **Stack**. I don't know, Congressman, the exact percentage which would be above. Many schools which are attended predominantly by Negro children are well within the current 32.5 because of the large number of schools, and the new schools which have been constructed.

When a school has an enrollment which makes it impossible to put 32, or it does not have enough classrooms to put the 32.5, into each room, that school has the teachers which would bring its ratio to 32.5. Those teachers then work with individual children or they work with small groups of children who may receive individualized attention.

Chairman **Powell**. According to our staff research, it is 8 percent over 40, and 48 percent over 35, per classroom in the Negro schools.

Mr. **Willis**. May I have Dr. Virginia Lewis, who was district superintendent in district 20, I think it is, comment on what happens when the enrollment rose 10 percent in a district in relation to 20,000 children or 15,000 children, and what happens when it grows 10 percent a year?

Dr. **Lewis**. Well, yes, in the years when I served as district superintendent of district 20, the enrollment grew in my small district, and I say small from a geographical standpoint, 3,000 students per year. Almost every Monday morning in one school we had to reorganize the school because of the influx of children. We had an office full of children every Monday morning, and literally every month we had to make adjustments in class size and in the school district.

The only thing one can do weekly is add teachers to take care of the children who have arrived until such time as you can provide facilities.

Mr. **Willis**. But the ratio of teachers to pupils was the same in that school as any other school.

Dr. **Lewis**. I believe that I should like to add that while we believe that a class size of 25 is highly desirable in every school, and we have only got 32.5 as a citywide average, on the other hand, I think that more important than how many children are in a room is what service you are giving to those children in the room, and how many people are there to work with them and teach them. This we try to keep at an equal level throughout the city.

Chairman **Powell**. You didn't mention it in your testimony, but my staff has given me the fact that you have five new schools this year.

Mr. **Willis**. Yes, sir.

Chairman **Powell**. How integrated are these new schools?

Mr. **Willis**. I beg your pardon?

Chairman **Powell**. How integrated are the new schools?

Mr. **Willis**. We have opened the Melody School, which is adjacent to the expressway on the West Side, and we have opened the one north of Wentworth. Note the map. We have Guggenheim at this point, and we have purchased the school right at this point. We are looking at the school here, and the Guggenheim is located at this point. The Forrestville is under construction and is located in here, and the Hinton is located just south of our Chicago Teachers College, which would be about here on the map.

Chairman **Powell**. The question is, What percentage of the new schools of 1965 are integrated?

Mr. **Willis**. Are integrated? We have that figure here. Would you talk about this?

Dr. **Lewis**. Congressman, I guess this depends upon what definition one is going to use for the term "integration."

Chairman **Powell**. You use your definition, then. I would like your definition.

Dr. **Lewis**. Let me just read this little section of the statement, because this will define it. I know in some sections integration is considered to exist when there is one child. They say a school is desegregated if you have one child enrolled of another race group.

In Chicago, in some of our large schools, 3,500 students, this would mean we could have 349 students of another race group and still not be an integrated school.

Chairman **Powell**. We call that "tokenism" up here.

Dr. **Lewis**. I would submit that using the figures from some of the sources submitted here 85.4 percent of Chicago public high school pupils and 77.7 percent of the elementary school pupils were racially mixed to some degree in 1963–64.

Chairman **Powell**. I want to know about the five new schools.

Dr. **Lewis**. As to the five new schools, I believe he has pointed out to you where they are located, and I don't have other figures.

Mr. **Willis**. We don't either, because we have a head count in October.

Dr. **Lewis**. If I may add one point, it is very difficult to tell you how they will be when they are opened. We opened the Bond School in my district, and we planned to include as a contributing school a neighboring school which was completely a white school, and we expected some 200 non-Negro children, or 15 percent white children, at least. By the time the building was completed—this was 2 years ago—and at the present time, because of the movement of white families out of the community, it is 3 percent non-Negro. There were only 40 children out of a total enrollment of 1,300 by the time we got them in the Bond building, so you can't predict what the racial composition of a school is going to be when you open it.

Chairman **Powell**. Will you comment on the Urban League report, and without objection, I will file it in the record.

(The report referred to follows:)

A Chicago Urban League Research Report -

PUBLIC SCHOOL SEGREGATION: CITY OF CHICAGO
1963-1964 AND 1964-1965

PREPARED BY:

Mrs. Junerous Cook, Specialist
CHICAGO URBAN LEAGUE
Research Department

May 12, 1965

FOREWORD

With painstaking accuracy, Mrs. Junerous Cook, Chicago Urban League Research Specialist, has quantified a tragedy -- a tragedy in the lives of a million Chicago public school children. Her analysis of the racial headcounts of the Chicago Public School system proves conclusively that racial segregation is increasing.

This growing school segregation is due in large measure to a school board and a school administration which have shunned or subverted the recommendations of its own selected experts (The Advisory Panel on School Integration - Hauser Panel), which have continued past procedures that foster segregation, and which have failed to adopt any viable plan for the promotion of integration. Far from implementing the thirteen-month old Hauser Report in any meaningful way, we have gone backwards. In place of implementation, there has been a succession of basically meaningless reports and recommendations -- generally countermanding each other in succession. While we must note that the Board of Education's task has not been made any easier by the continuance and growth of residential ghettoes, we must also note that the Board has administered the school system in such a way as to re-enforce housing segregation.

Not only has the United States Supreme Court declared segregated education unequal, but time and time again, educational experts have proved through studies that segregated education is bad education -- that it is harmful to both the Negro child and the white child. By these criteria alone, Chicago's schools are worse this year than last.

The real measure of the effect of the Board's policies for the last year is found in this analysis based on its own statistics. These statistics portray the saddening trend of retrogression toward even greater segregation. Chicago schools are going backwards at a time when the rest of the nation, even in many Southern communities, is moving forward to more integration.

Segregation, discrimination and racism, as guidelines in running our public schools are so horribly expensive and destructive that no sensible or reasonable community can longer tolerate it or afford it. Yet, the current course of our public school system, unless altered, will perpetuate racial disabilities for generations to come. It little benefits a man to obtain finally the equal right to a job when he is denied the facilities to prepare himself adequately for that job.

Read this report with care, for in irrefutable numbers, it is proof of the criticism that the Chicago Urban League, along with scores of civil rights, religious and civic groups, has been making for four years. Once you have studied the report, you can no longer, with reason, doubt the justness of these criticisms of the conduct of Chicago's public schools. The burden, then, falls upon the shoulders of you, the reader, to join the ever-growing number of responsible Chicago organizations in prevailing upon the leaders of the City of Chicago and the Board of Education to reverse the present terrible trend of increasing segregation. The demand must be for a bold new program of integration in a school system that will bring quality and equality in education to all our City's children.

EDWIN C. BERRY
Executive Director
CHICAGO URBAN LEAGUE

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I. INTRODUCTION

In 1961, public controversy as to the racial composition of the public schools and the quality of education in schools allegedly Negro-segregated, reached crisis proportions. The controversy was then heightened by the unwillingness of Benjamin C. Willis, General Superintendent of Schools, to report publicly on school affairs and especially by his refusal to report school statistics by color.

In 1963, the Illinois Legislature passed the Armstrong Law that amended the State's school code. One of its provisions directs Illinois School Boards to draw attendance areas so as to prevent public school segregation. On August 14th of that year, the Chicago Board of Education directed the General Superintendent to conduct a racial headcount of the pupils to determine the necessity for redrawing the City's school boundaries to comply with State law. The headcount was taken on October 3rd, the 20th day of the 1963-64 school term, and reported to the Board on October 22nd. It proved, beyond doubt, that the majority of the public schools in Chicago are either Negro-segregated or white-segregated.

In August of the same year, the Board of Education commissioned a panel of five experts to study segregation in the schools and to report its findings and recommendations for solving whatever problems were found. (This action was part of an out-of-court settlement of the Webb Case, a suit which had been brought by a group of parents who charged the Board with maintaining segregated schools.) The Board resolved on August 28, 1963, when the expert panel was assigned its task, "that on the submission of such report...(it) shall promptly take such action as it may determine is appropriate or required to work toward a resolution of any problems and any inequities found to exist."

The Panel of Experts (now popularly known as the Hauser Panel) reported its findings and recommendations to the Board of Education on March 31, 1964. It found that not only are the schools segregated, but that the quality of education in Negro-segregated schools is inferior to that offered in white-segregated schools. Specific criteria were listed in substantiation of these findings. Among the recommendations to the Board of Education were major ones for elimination of both pupil and teacher segregation in the public school system. Civil Rights groups, Parent-Teacher groups, community organizations and important leaders in business, religion and education have since asked repeatedly for full implementation of these integration recommendations.

In November, 1961, the Chicago Board of Education had authorized a school survey as a result of many grievances concerning the schools. This survey was to be comprehensive, with particular emphasis on the quality of public education. Two years later (December 3, 1963) after much controversy among the Board and General Superintendent as to the scope of this survey and who should conduct it, and after the Hauser Panel had begun its work, the Board approved the survey design of a three-man panel (The Havighurst Panel) and the survey was finally begun. Since the Hauser Panel was then at work, the Havighurst Panel did not specifically study school segregation. It acknowledged the findings of the Hauser Panel on school segregation, however; and in its report to the Board of Education, the Havighurst Panel also made specific recommendations for school integration.

Finally, a second racial headcount was conducted on October 7, 1964, the 20th day of the 1964-65 school term. It confirmed the fact that the public schools of Chicago are still segregated.

The two racial headcounts provide the basic data for our study of public school segregation. Our purpose was to determine whether any changes occurred in the degree of segregation between the 1963-64 and 1964-65 school terms and if so, what were they.

We have used as our measure of segregation the proportion of pupils of one race in a given school. A school is designated segregated if the student population is 90-100 percent of one race. All other schools are designated integrated. Two categories of segregated schools are used throughout our study - absolute segregation (schools 100 percent of one race) and effective segregation (schools 90-99.9 percent of one race.)

The controversy concerning quality and equality of educational opportunity in the public schools continues. In 1961, the schools controversy started as a Civil Rights issue. The public exposure of this phase of school board policy brought to light many other inadequacies in the educational system and its administration. What began as a Civil Rights concern is now a matter of general community concern. What began as a concern for the inadequate education given Negro children in Chicago is now a concern for the inadequate education of all children in our city.

II COMMENTARY

A year and a half after the Chicago Board of Education sought expert advice on school segregation, and a year after its Advisory Panel on Integration reported, public school segregation has increased rather than diminished. The number of segregated schools has increased. Pupil segregation has increased.

From the standpoints of both school and race, Negro pupils are now more segregated than they were last school term. Fewer of them are attending integrated schools; more of them are concentrated together in more Negro-segregated schools. (This latter fact is due obviously in part to the absolute increase in Negro pupil membership in the public schools.)

White pupils are slightly more dispersed among both Negro-segregated and integrated schools this term; however their distribution in these type schools is still token. Their increase in these schools was to insignificant as to have had no effect upon increased integration of pupils system-wide.

There is less over-all integration of Negro and white pupils in the public schools this term than last term. Integration which occurred for the first time this term primarily resulted from mixtures of white pupils and pupils which the Board of Education designated as "others," rather than from mixtures of white and Negro pupils.

Schools which were white-segregated in the 1963-64 school term are still overwhelmingly white-segregated this school term. The same is true of Negro-segregated schools. All of the absolutely segregated (100 percent) white schools that changed either to effectively segregated (90-99.9 percent) or integrated schools did so due to entry of "others." Two-thirds of the effectively segregated white schools which changed to integrated schools did so due to entry of "others." Eight (8%) percent of the effectively segregated white schools which changed became absolutely segregated white schools. No type of white-segregated school changed to Negro-segregated status

All of the absolutely segregated Negro schools which changed to effectively segregated Negro schools did so due to entry of "others." None became integrated or white-segregated. Ninety-four (94%) percent of the effectively segregated Negro schools which changed became absolutely segregated Negro schools. None became white-segregated and only one became integrated.

Integrated schools which changed to segregated status this school term, did so due to entry or departure of white pupils as often as to entry or departure of Negro pupils.

The net decrease in white pupil enrollment this school term cannot be said to account for the increased segregation of public school pupils. At the elementary level where segregation increased most, white pupil enrollment increased. At the high school level, although white pupil enrollment decreased, the decrease was insignificant. The widely held belief that white pupils are fleeing the public schools en masse, thus diminishing the potential for an integrated school system, is not substantiated by our findings,

It is painfully apparent that the Chicago Board of Education has not only failed to supervise implementation of its own policy of school integration; it has failed to obey State law. Despite recommendations from two Board-selected panels of educational experts (The Hauser and Havighurst Panels), administrative procedures which have proved failures in the past are still being used to guide the Chicago School system. Despite Board knowledge from two racial headcounts, school boundaries have not been altered so as to prevent continued and increased public school segregation.

Unless State law and Board policy are implemented through meaningful administrative action, there is no reason to believe that the present trend of public school segregation will reverse itself. It is much more likely that the children which the public schools serve will be doomed to unequal educational opportunity and unrealistic educational experiences.

III SUMMARY OF FINDINGS

ENROLLMENT

--- Total enrollment in the public schools this term increased by 13,886 pupils or 2.7 percent. Total enrollment last term was 507,592; this term, 521,478. Negroes constitute 48.8 percent of the 1964-65 enrollment; whites 48.6 percent and "others" 2.6 percent. In the 1963-64 term, the precentages were 47.2 percent Negro, 50.1 percent white and 2.7 percent "others."

--- The 1964-65 elementary enrollment of 404,484 pupils represents an increase of 9,692 or 2.5 percent over 1963-64. High school enrollment, 116,994 pupils, represents a net increase of 4,194 or 3.6 percent.

--- Negroes accounted for almost the total increase in public school enrollment in the 1964-65 term. At the elementary level they increased 4.8 percent, while whites increased only 0.4 percent. At the secondary level Negroes increased 13.6 percent, whites decreased by 1.7 percent. Pupils classified as "others" decreased by 4.2 percent in the elementary schools and increased 12.0 percent in the high schools.

--- Negro pupils continue to outnumber white pupils at the elementary level; whites continue to outnumber Negroes in the high schools. Negroes are 52.1 percent of the elementary population and 37.3 percent of the high school population. Whites are 45.1 percent and 60.9 percent respectively.

THE SCHOOLS

--- There are more segregated[1/] elementary schools this term than there were last term. In the 1963-64 term 351 or 81.6 percent of all the elementary schools were segregated. This term, 362 or 82.3 percent are segregated.

--- There are more segregated high schools this term than last. Thirty (30) or 73.2 percent of the high schools were segregated during the 1963-64 school year; thirty-two (32) or 74.4 percent are segregated this school year.

--- This term, branch school segregation decreased at both the elementary and secondary school levels. In both school terms, however, branch schools were found to be more segregated than parent schools. This term 92.9 percent of the elementary branches are segregated. Last term 93.2 percent were segregated. High school branches are presently 88.6 percent segregated; last term 88.9 percent of all high school branches were segregated.

--- Upper grade centers (schools housing grades seven and eight only) are also more segregated than other schools. Although the actual number of segregated upper grade centers increased this term -- from 25 to 27 -- the percentage which are segregated decreased. Last term, 92.6 percent of all upper grade centers were segregated. This term, 90.0 percent are segregated.

[1/] See introduction for definition of segregation.

--- Ninety (90) or 18.4 percent of all the elementary schools existent in 1963-64 and now still in existence, underwent some change in racial designation. No school which was white-segregated last term became Negro-segregated this term. Nor did any Negro-segregated school become white-segregated.

--- Eighteen (18) or 24.0 percent of the high schools existent in both terms changed racial designation this year. Again, no white-segregated high school changed to Negro-segregated and vice versa.

--- Negro-segregated elementary schools average more pupils per school than white-segregated or integrated schools. They also average more pupils per class than white schools, although the same ratio as that for integrated schools.

OVER-ALL PUPIL SEGREGATION

--- Fewer pupils are attending integrated elementary schools this term than last term. In 1963-64, 68,457 pupils, 17.5 percent, attended integrated elementary schools. This school year, 67,655 pupils or 16.7 percent are in integrated schools. More pupils are attending integrated high schools this term than last. Now 31,626 high school pupils, 27.0 percent, are attending integrated schools. In 1963-64, 29,720 or 26.3 percent were in integrated schools.

--- More pupils are attending Negro-segregated elementary and high schools this term -- 190,315 pupils or 47.1 percent are in Negro-segregated elementary schools and 30,337 pupils or 26.0 percent are in Negro-segregated high schools. The numbers and percentages for the 1963-64 term were 178,695 or 45.2 percent at the elementary level and 25,156 or 22.3 percent in the high schools.

--- Fewer pupils are attending white-segregated elementary and high schools this term. At the elementary level, 146,514 pupils, 36.2 percent are in such schools; 55,031 pupils, or 47.0 percent, are in white-segregated high schools. The numbers and percentages for 1963-64 were 147,640 or 37.3 percent at the elementary level and 57,924 or 51.4 percent at the high school level.

PUPIL SEGREGATION, BY RACE

--- The percentage of Negro pupils attending Negro-segregated elementary schools increased this term from 87.8 percent in 1963-64 to 89.2 percent. However, the percentage of Negro pupils in white-segregated elementary schools is the same for both terms (0.3 percent) and the percentage in integrated elementary schools decreased this term from 11.9 percent to 10.5 percent.

--- The percentage of white pupils attending white-segregated elementary schools decreased this term from 79.9 percent in 1963-64 to 78.9 percent. The percentage attending Negro-segregated schools increased from 0.7 percent to 0.8 percent and the number of white pupils attending integrated elementary school increased from 19.6 percent to 20.3 percent.

--- At the high school level, the percentage of Negro pupils attending

Negro-segregated schools increased from 63.8 percent to 68.0 percent. The percentage attending white-segregated schools increased from 0.8 percent to 1.7 percent; the percentage attending integrated schools decreased from 35.4 percent to 30.3 percent.

--- White high school pupils attending white-segregated schools decreased in proportion from 78.3 percent last term to 75.3 percent this term. The percentage attending Negro-segregated schools increased from 0.6 percent to 0.9 percent; the percentage attending integrated schools increased from 21.1 percent to 23.8 percent.

PUPIL SEGREGATION BY RACE AND DEGREE OF SEGREGATION

--- At both the elementary and high school levels, the proportion of Negro pupils attending 100 percent Negro-segregated schools increased. In the elementary schools the increase was 2.8 percentage points; in the high schools the increase was 3.0 percentage points.

--- At both the elementary and high school levels, the proportion of white pupils attending 100 percent white-segregated schools decreased. At the elementary level the decrease was 5.1 percentage points. At the high school level it was 8.7 percentage points.

--- The proportion of Negro elementary pupils attending schools 90-99.9 percent Negro-segregated decreased by 1.4 percentage points this term. The proportion of white elementary pupils attending schools 90-99.9 percent white-segregated increased by 4.3 points.

--- In the high schools, the proportion of Negro pupils attending schools 90-99.9 percent Negro-segregated increased 1.2 percentage points; the proportion of white pupils in schools 90-99.9 percent white-segregated increased 5.7 points.

IV ANALYSIS OF DATA

PUBLIC SCHOOL ENROLLMENT[1]

Enrollment in the public schools of Chicago for the 1964-65 school term is 521,478. Analysis of membership and headcount statistics revealed that Negroes are 48.8 percent of this enrollment, white pupils 48.6 percent, and "others" are 2.6 percent.[2] The 1964-65 enrollment represents an over-all increase of 2.7 percent over that for the 1963-64 term. At that time, enrollment was 507,592, of which Negroes were 47.2 percent, whites 50.1 percent and "others" 2.7 percent.

The elementary population increased by a net of 9,692 pupils or 2.5 percent--from 394,792 to 404,484. The high school population similarly increased by 4,194 pupils, or 3.6 percent--from 112,800 to 116,994.

Negroes accounted for almost the total increase in public school student population. The Negro elementary population increased by 9,598 pupils, or 4.8 percent. The white elementary population increased by only 585, or 0.4 percent and "others" decreased in number by 491 pupils or 4.2 percent.

At the high school level, the Negro population increased by 5,214, or 13.6 percent. Whites decreased in a number by 1,247, or 1.7 percent. "Others" increased by 227, or 12.0 percent.

RACIAL RATIOS

Negro pupils continue to outnumber white pupils in the elementary schools. Whites continue to outnumber Negroes in the high schools despite their decrease in numbers. Negroes are 52.1 percent of the elementary population, whites 45.1 percent and "others" 2.8 percent. In the 1963-64 term, the percentages were 51.0 percent Negro, 46.0 percent white, and 3.0 percent "others."

In the high schools, whites represent 60.9 percent of the student population. They were 64.3 percent in the 1963-64 term. Negroes are 37.3 percent, and were 34.0 percent last term; "others" are 1.8 percent and were 1.7 percent.

Table I shows the change in student population from the 1963-64 school term to the 1964-65 term. Table II gives the number and percentage distribution of students for the two terms.

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[1] In regular elementary and general high schools only.

[2] We have adjusted the headcount statistics to account for absentees in order to make meaningful comparisons for 1963-64 and 1964-65. See Appendix for explanation.

TABLE I: CHANGE IN PUBLIC SCHOOL ENROLLMENT, BY RACE AND GRADE LEVEL: 1963-64 AND 1964-65

RACE AND GRADE LEVEL	ENROLLMENT NUMBER 1963-1964	 NUMBER 1964-1965	PERCENTAGE CHANGE
TOTAL ENROLLMENT	507,592	521,478	+ 2.7%
NEGRO	239,630	254,442	+ 6.2%
WHITE	254,320	253,658	- 0.3%
OTHER	13,642	13,378	- 1.9%
TOTAL ELEMENTARY ENROLLMENT	394,792	404,484	+ 2.5%
NEGRO	201,264	210,862	+ 4.8%
WHITE	181,781	182,366	+ 0.4%
OTHER	11,747	11,256	- 4.2%
TOTAL SECONDARY ENROLLMENT	112,800	116,994	+ 3.6%
NEGRO	38,366	43,580	+13.6%
WHITE	72,539	71,292	- 1.7%
OTHER	1,895	2,122	+12.0%

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

TABLE II: NUMBER AND PERCENT OF PUBLIC SCHOOL PUPILS BY RACE AND GRADE LEVEL: 1963-64 AND 1964-65

RACE AND GRADE LEVEL	NUMBER AND PERCENT 1963-1964 NUMBER	 PERCENT	 1964-1965 NUMBER	 PERCENT
TOTAL ENROLLMENT	507,592	100.0%	521,478	100.0%
NEGRO	239,630	47.2%	254,442	48.8%
WHITE	254,320	50.1%	253,658	48.6%
OTHER	13,642	2.7%	13,378	2.6%
ELEMENTARY ENROLLMENT	394,792	100.0%	404,484	100.0%
NEGRO	201,264	51.0%	210,862	52.1%
WHITE	181,781	46.0%	182,366	45.1%
OTHER	11,747	3.0%	11,256	2.8%
SECONDARY ENROLLMENT	112,800	100.0%	116,994	100.0%
NEGRO	38,366	34.0%	43,580	37.3%
WHITE	72,539	64.3%	71,292	60.9%
OTHER	1,895	1.7%	2,122	1.8%

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

JC/mh

THE SCHOOLS

OVER-ALL SEGREGATION

In 1963, statistics were reported for 430 elementary schools and 59 branches: in 1964, 440 schools and 56 branches. At the secondary level, the statistics for 1963 were for 41 schools and 36 branches; those for 1964 were for 43 schools and 35 branches. These schools were analyzed both with respect to the racial composition of their student populations and the number of pupils attending them.

Our analysis reveals that the public school pupils of Chicago are still attending predominately segregated schools. Branch schools are more segregated than parent schools. When upper grade centers are analyzed separately, they, too, are more segregated than other schools. This term, elementary schools are 82.3 percent segregated -- 45.9 percent are white-segregated, and 36.4 percent are Negro-segregated. Elementary branches are 92.9 percent segregated -- 35.7 percent are Negro-segregated, and 57.2 percent are white-segregated. In the 1963-64 school term, elementary schools were 81.6 percent segregated: branches were 93.2 percent segregated.

There was a 3.1 percent increase in the number of all segregated elementary schools this term, and a 5.4 percent decrease in the number of all segregated branches. Segregated elementary schools increased from 351 in the 1963-64 term to 362 this term.

Only 17.7 percent of all the elementary schools are integrated. Last school term, 18.4 percent were integrated. The number of integrated elementary schools decreased by one (1), or 1.3 percent. There was no change in the number of integrated elementary branches. In both school terms, only four (4) elementary branches were found to be integrated.

Upper grade centers (grades 7 and 8 only) are 90 percent segregated -- 73.3 percent Negro-segregated, and 16.7 percent white-segregated. Last term, they were 92.6 percent segregated. Thus, although the actual number of segregated upper grade centers increased this term, the percentage that are segregated decreased. Last term, there were 25 segregated upper grade centers. This school term there are 27.

At the secondary level the public schools are 74.4 percent segregated -- 53.5 percent are white-segregated, and 20.9 percent Negro-segregated. High school branches are 88.6 percent segregated -- 71.5 percent are white-segregated, and 17.1 percent are Negro-segregated. There were two additional segregated high schools this term, an increase of 4.9 percent; however, the number of segregated high school branches decreased by 3.1 percent. The number of integrated high school branches remained the same -- four (4) for each school year.

SEGREGATION BY RACIAL DESIGNATION

This school year a total of 234 elementary schools and branches are white segregated. A total of 180 schools and branches are Negro-segregated. The total number of Negro segregated elementary schools [3] increased by 7.3 percent-- from 149 in 1963-64, to 160 in 1964-65. The total number of white segregated elementary schools[4/] remained the same, 202 for both school terms. Negro-segregated elementary branches increased 17 percent -- from 17 in 1963-64, to 20 this term. Elementary branches that are white-segregated decreased by 15.8 percent -- from 38 last term to 32 this term. Thus, despite the fact that there are fewer white pupils than Negro pupils at the elementary level, white pupils have greater access to the schools than do Negro pupils.

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[3] Does not include branches.

Absolutely segregated Negro elementary schools increased 20.5 percent; effectively segregated Negro elementary schools increased 1.9 percent. On the other hand, absolutely segregated white elementary schools decreased 9.6 percent and those effectively segregated increased 3.3 percent. The most significant branch changes occurred among those that were absolutely white-segregated and those effectively Negro-segregated. The former type decreased 26.9 percent and the latter increased 33.3 percent.

At the secondary level, there are two additional segregated schools this term -- one Negro-segregated and one white-segregated. Absolutely segregated white schools decreased 40.0 percent; effectively segregated white school increased 17.6 percent. There was no change in the number of absolutely segregated Negro high schools; however, those effectively segregated increased 14.3 percent.

Absolutely segregated Negro branches increased 150.0 percent -- from 2 last term to 5 this term. Effectively segregated white branches increased 21.4 percent. Both effectively segregated Negro branches and absolutely segregated white branches decreased. The former decreased 66.7 percent, the latter 38.5 percent. Tables III through V give data on the distribution of schools, branches, and upper grade centers.

CHANGES IN RACIAL DESIGNATION

The 489 elementary schools (and branches) and the 77 high schools (and branches) existent in the 1963-64 term were further examined to determine what changes, if any, occurred in each type in the 1964-65 term and what accounted for change. Examination of the elementary schools revealed that four schools, one branch, and one upper grade center were dis-established in the 1964-65 term.[5/] Of the remaining 483 schools (branches included) ninety (90) or 18.4 percent underwent some change in racial designation this term. In eleven out of 14 cases, "others" accounted for the changing of white-segregated schools to integrated status. In only one instance did a Negro-segregated school change racial designation due to entry of whites. Negro and white pupils accounted equally for changes in the racial designation of integrated schools. Of sixteen (16) which changed, eight (8) became Negro-segregated schools and eight (8) became white-segregated schools. No school that was white-segregated in the 1963-64 term became Negro-segregated. No school that was Negro-segregated in the 1963-64 term became white-segregated this term.

There are ten (10) more absolutely segregated Negro elementary schools in this term than last term and twelve (12) fewer absolutely segregated white schools. Nine (9) schools which were absolutely segregated Negro schools in 1963-64 changed to effectively segregated Negro schools this term. Seventeen (17) absolutely segregated Negro schools were gained through changing of schools effectively Negro-segregated.

[4/] Does not include branches.

[5/] See footnotes, Table VI(A) for names.

TABLE III: DISTRIBUTION OF PUBLIC SCHOOLS BY RACIAL COMPOSITION OF STUDENT POPULATION: 1963-64 AND 1964-65

TYPE OF SCHOOL 1/	DISTRIBUTION OF SCHOOLS				
	1963-1964		1964-1965		PERCENTAGE CHANGE
	NO.	%	NO.	%	
ALL SCHOOLS REPORTED	430	100.0%	440	100.0%	2.3%
100% NEGRO POPULATIONS	44	10.2%	53	12.1%	20.5%
90-99.9% NEGRO POPULATIONS	105	24.4%	107	24.3%	1.9%
100% WHITE POPULATIONS	52	12.1%	47	10.7%	- 9.6%
90-99.9% WHITE POPULATIONS	150	34.9%	155	35.2%	3.3%
INTEGRATED POPULATIONS	79	18.4%	78	17.7%	- 1.3%
	SECONDARY LEVEL				
ALL SCHOOLS REPORTED	41	100.0%	43	100.0%	4.9%
100% NEGRO POPULATIONS	1	2.4%	1	2.3%	0
90-99.9% NEGRO POPULATIONS	7	17.1%	8	18.6%	14.3%
100% WHITE POPULATIONS	5	12.2%	3	7.0%	-40.0%
90-99.9% WHITE POPULATIONS	17	41.5%	20	46.5%	17.6%
INTEGRATED POPULATIONS	11	26.8%	11	25.6%	0

1/ Includes Upper Grade Centers.

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

TABLE IV: DISTRIBUTION OF BRANCH SCHOOLS
BY RACIAL COMPOSITION OF STUDENT BODY: 1963-64 AND 1964-65

	DISTRIBUTION OF SCHOOLS				
	1963-1964		1964-1965		PERCENTAGE
TYPE OF BRANCH	NO.	%	NO.	%	CHANGE
ALL BRANCHES REPORTED	59	100.0%	56	100.0%	- 5.1%
100% NEGRO POPULATIONS	11	18.6%	12	21.4%	9.1%
90-99.9% NEGRO POPULATIONS	6	10.2%	8	14.3%	33.3%
100% WHITE POPULATIONS	26	44.1%	19	33.9%	-26.9%
90-99.9% WHITE POPULATIONS	12	20.3%	13	23.3%	8.3%
INTEGRATED POPULATIONS	4	6.8%	4	7.1%	0
	SECONDARY LEVEL				
ALL BRANCHES REPORTED	36	100.0%	35	100.0%	2.0%
100% NEGRO POPULATIONS	2	5.6%	5	14.3%	150.0%
90-99.9% NEGRO POPULATIONS	3	8.3%	1	2.8%	-66.7%
100% WHITE POPULATIONS	13	36.1%	8	22.9%	-38.5%
90-99.9% WHITE POPULATIONS	14	38.9%	17	48.6%	21.4%
INTEGRATED POPULATIONS	4	11.1%	4	11.4%	.0

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

TABLE V: DISTRIBUTION OF UPPERGRADE CENTERS BY RACIAL COMPOSITION OF STUDENT POPULATION: 1963-64 AND 1964-65

TYPE OF UPPER GRADE CENTER	DISTRIBUTION OF UPPER GRADE CENTERS				
	1963 - 1964		1964 - 1965		PERCENTAGE CHANGE
	NO.	PERCENT	NO.	PERCENT	
ALL UPPER GRADE CENTERS REPORTED	27	100.0%	30	100.0%	11.1%
100% NEGRO POPULATIONS	6	22.2%	6	20.0%	0
90-99.9% NEGRO POPULATIONS	14	51.9%	16	53.3%	+14.3%
100% WHITE POPULATIONS	1	3.7%	1	3.4%	0
90-99.9% WHITE POPULATIONS	4	14.8%	4	13.3%	0
INTEGRATED POPULATIONS	2	7.4%	3	10.0%	+50.0%

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

Twenty-five (25) absolutely segregated white schools changed in racial designation this school year. Twenty-one (21) became effectively segregated white schools; four (4) became integrated schools. Thirteen (13) absolutely segregated white schools were gained through changing of schools which were effectively white last term.

Twenty-three (23) schools which were effectively white last term changed in racial designation this term. Thirteen (13) became absolutely segregated white schools and ten (10) became integrated schools. Twenty-one (21) absolutely segregated white schools and seven (7) integrated schools changed to effectively segregated white schools this term.

The effectively segregated Negro schools which changed racial designation this term numbered eighteen (18). Seventeen (17) of these schools became absolutely segregated Negro schools; one became integrated.

A similar pattern of change holds for the high schools. In their instance two branch schools were dis-established this term 6/ and of the remaining 75 schools, (and branches) 18 or 24.0 percent changed racial designation. Here again no Negro-segregated schools became white-segregated and vice versa. Entry of "others" accounted overwhelmingly for changes in white segregated schools; entry or departure of both Negroes and whites accounted for changes in integrated schools, and entry of Negroes alone accounted for changes in Negro-segregated schools. There are three additional absolutely segregated Negro schools this term, and five (5) fewer absolutely segregated white high schools. There are six (6) more effectively segregated white high schools this term and one (1) less effectively segregated Negro high school. Table VI gives data on changes in racial designation of elementary and high schools from 1963 to 1964.

Finally, the elementary schools were further examined to ascertain the relationship between type of school, average class size and average school size. The General Superintendent has recommended 1200 pupils per elementary school and 32.5 pupils per class as standards for the Chicago Public School System. In both school terms, the average size of pupil population was below the 1200 pupil standard for all types of schools. However, white-segregated schools in both terms were overall much more below the standard than Negro-segregated or integrated schools. White-segregated schools average only 52.1 percent of the 1200 pupils standard, integrated schools average 68.7 percent of the standard, and Negro-segregated schools average 88 percent of the standard. In 1963-64 the comparable percentages were 51.2 percent for white-segregated schools, 68.7 percent for integrated schools and 90 percent for Negro-segregated schools.

In both school terms the ratios of pupils per class were smaller for white-segregated schools than for Negro-segregated or integrated schools. In this term, the average number of pupils per class increased for both white-segregated and integrated schools, but decreased for Negro-segregated schools. Despite this decrease, Negro-segregated schools still have a greater ratio of pupils per class than white-segregated schools. They average the same ratio as integrated schools. In the 1963-64 term, the ratio of pupil per class was 32.6 for white-segregated schools, 35.2 for integrated schools and 36.0 for Negro-segregated schools. This term, the ratios are 33.2 for white-segregated schools and 35.5 for both Negro-segregated and integrated schools. Table VII gives this data by type of school for the two school terms.

6/ See footnote in Table VI(B) for names of these branch schools

TABLE VI(A): CHANGE IN RACIAL DESIGNATION OF ELEMENTARY SCHOOLS EXISTING IN BOTH THE 1963-64 AND 1964-65 SCHOOL TERMS BY TYPE OF SCHOOL

		TYPE OF SCHOOL: 1964 - 1965 TERM									
SCHOOL TYPE[1/] 1963-64 TERM	NO.	100.0% WHITE	90-99.9% WHITE	CHANGE DUE TO ENTRY OF	INTE-GRATED	CHANGE DUE TO ENTRY OF	100.0% NEGRO	90-99.9% NEGRO	CHANGE DUE TO ENTRY OF	PER-CENT CHANGE	PER-CENT RE-MAINING SAME
100% WHITE	78[2/]	52	21	OTHERS ONLY	4	OTHERS ONLY	------	------	--------	32.5%	67.5%
90-99.9% WHITE	162[3/]	13	138	--------	10	OTHERS(7) NEGROES(3)	------	------	--------	14.2%	85.8%
100% NEGRO	55[4/]	-----	-----	--------	------	---------	44	9	OTHERS	17.0%	83.0%
90-99.9% NEGRO	111[5/]	-----	-----	--------	1	WHITES	17	91	--------	16.5%	83.5%
INTEGRATED	83	1	7	WHITES	67	------	------	8	NEGROES	19.3%	80.7%

1/ Includes Branches.

2/ Hubbard School (District 15) 100% white in 1963 -- was not reported in 1964. Thus, distribution for 1964-65 does not total that for 1963-64.

3/ Ibid, Goudy Unit Classrooms (District 2); 4/ Ibid, Phillips Upper Grade Center (District 11) and McCorkle (District 13).

5/ Ibid, Marshall Primary and Intermediate (District 8) and Bousfield (District 13)

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964.

TABLE VI(B): CHANGE IN RACIAL DESIGNATION OF HIGH SCHOOLS EXISTING IN BOTH THE 1963-64 AND 1964-65 SCHOOL TERMS BY TYPE OF SCHOOL

		TYPE OF SCHOOL: 1964 - 1965 TERM									
SCHOOL TYPE[1/] 1963-64 TERM	NO.	100.0% WHITE	99.9% WHITE	DUE TO ENTRY OF	INTE-GRATED	DUE TO ENTRY OF	100.0% NEGRO	99.9% NEGRO	DUE TO ENTRY OF	PER-CENT CHANGED	PER-CENT REMAINING SAME
100% WHITE	18	9	9	OTHERS (8) NEGROES (1)	------	--------	------	------	--------	50.0%	50.0%
90-99.9% WHITE	31	2	25	----------	2	OTHERS ONLY	------	------	--------	13.7%	86.3%[2/]
100% NEGRO	3	-----	-----	----------	------	--------	3	------	--------	-------	100.0%
90-99.9% NEGRO	10	-----	-----	----------	------	--------	2	8	--------	20.0%	80.0%
INTEGRATED	15	-----	1	WHITES	12	--------	1	1	NEGROES	20.0%	80.0%

[1/] Includes Branches.

[2/] Kelly Branch in Holden Elementary (District 12) dis-established during 1964-65 term; Orr High School Unit (District 8) became Orr High (District 4) in 1964-65.

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964.

TABLE VII: AVERAGE PUPILS PER SCHOOL AND AVERAGE PUPILS PER CLASS BY TYPE OF SCHOOL, ELEMENTARY LEVEL: 1963-64 AND 1964-65

TYPE OF SCHOOL 1/	NO. OF SCHOOLS	NO. OF PUPILS	AVERAGE PUPILS PER SCHOOL	NO. OF 2/ CLASSROOMS	AVERAGE PUPILS PER CLASS
			1964 - 1965		
WHITE-SEGREGATED SCHOOLS	234	146,514	626	4,412	33.2
INTEGRATED SCHOOLS	82	67,655	825	1,906	35.5
NEGRO-SEGREGATED SCHOOLS	180	190,315	1,057	5,366	35.5
			1963 - 1964		
WHITE-SEGREGATED SCHOOLS	240	147,640	615	4,510	32.6
INTEGRATED SCHOOLS	83	68,457	824	1,946	35.2
NEGRO-SEGREGATED SCHOOLS	166	178,695	1,076	4,960	36.0

1/ Includes Branches.

2/ Does not include Specialized Classrooms.

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964; Reports on Use of Elementary Facilities and Enrollments - 1963 and 1964.

PUPIL SEGREGATION

Fewer pupils at the elementary school level were enrolled in integrated schools this term. In the 1963-64 term, 68,457 pupils or 17.5 percent of all elementary pupils were in integrated schools. This term, 67,655, or 16.7 percent are in integrated schools. Although there are more segregated high schools this term than last, more high school pupils were enrolled in integrated schools this term than last. The elementary population in integrated schools decreased in proportion by eight-tenths (0.8) of a point. The population in integrated high schools increased in proportion by seven-tenths (0.7) of a point.

The pupil population in Negro-segregated elementary schools increased 1.[illegible] percentage points; that in white-segregated elementary schools decreased 1.1 percentage points. Those high schools which are white-segregated had a 4.4 percentage point decrease in pupil population; the pupil population in high schools which are Negro-segregated increased 3.7 percentage points. Table VIII gives detailed data on this subject.

A greater proportion of Negro elementary pupils are attending Negro-segregated schools than the proportion of whites who are attending white-segregated schools. Still, the majority of pupils in each racial group are attending segregated schools. At the high school level a greater proportion of white pupils are attending white-segregated schools than the proportion of Negroes who are in Negro-segregated schools. But again, the majority of pupils in each racial group are attending segregated schools. Students classified as "others", however, primarily attend integrated schools at both the elementary and high school level. Thus, while "others" are integrated throughout the public school system, Negro and white pupils are attending schools and classes primarily with pupils of their own racial group.

Presently, 89.2 percent of all the Negro elementary pupils are attending Negro-segregated schools, a 1.4 percentage point increase over last school term. Likewise, 78.9 percent of all the white elementary pupils are attending white-segregated schools, an eight-tenth (0.8) percentage point decrease over last school term. Seventy-five and seven-tenths (75.7) percent of all "others" are in integrated schools, a 0.1 percentage point decrease over last school term.

There was no change in the proportion of Negro elementary pupils in white-segregated schools. For both terms, it is three-tenths (0.3) of one percent. However, the number of white elementary pupils in Negro-segregated schools increased one-tenth (0.1) of one percent this term, from 0.7 percent last term to 0.8 percent this term.

In the high schools, 68 percent of all Negro pupils attend Negro-segregated schools and 75.3 percent of all white pupils attend white-segregated schools. These figures represent a 4.2 percentage point increase in the proportion of Negroes in Negro-segregated schools and a 3.0 percentage point decrease in the proportion of whites in white-segregated high schools. The proportion of "others" in integrated high schools increased from 45.2 percent in the 1963-64 term to 71.0 percent in the present term.

Negro enrollment in white-segregated high schools increased by only nine-tenths (0.9) of a percentage point; white enrollment in Negro-segregated high schools increased by only three-tenths (0.3) of a percentage point. Table IX(A) and Table IX(B) gives the distribution of pupils, by racial designation, among the various types of schools.

TABLE VIII: DISTRIBUTION OF ALL PUPILS BY TYPE OF SCHOOL 1963-64 AND 1964-65

TYPE OF SCHOOL 1/	DISTRIBUTION OF PUPILS				PERCENTAGE POINT CHANGE
	1963-1964		1964-1965		
	NUMBER	PERCENT	NUMBER	PERCENT	
	ELEMENTARY LEVEL				
ALL STUDENTS	394,792	100.0%	404,484	100.0%	
NEGRO-SEGREGATED SCHOOLS	178,695	45.2%	190,315	47.1%	+1.9
WHITE-SEGREGATED SCHOOLS	147,640	37.3%	146,514	36.2%	-1.1
INTEGRATED SCHOOLS	68,457	17.5%	67,655	16.7%	-0.8
	SECONDARY LEVEL				
ALL STUDENTS	112,800	100.0%	116,994	100.0%	
NEGRO-SEGREGATED SCHOOLS	25,156	22.3%	30,337	26.0%	+3.7
WHITE-SEGREGATED SCHOOLS	57,924	51.4%	55,031	47.0%	-4.4
INTEGRATED SCHOOLS	29,720	26.3%	31,626	27.0%	+0.7

1/ Includes Branches

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

TABLE IX(A): DISTRIBUTION OF ALL ELEMENTARY PUPILS, BY TYPE OF SCHOOL AND RACE OF PUPIL: 1963-64 AND 1964-65

TYPE OF SCHOOL	RACE OF PUPILS							
	NEGRO		WHITE		OTHER		TOTAL	
	NUMBER	%	NUMBER	%	NUMBER	%	NUMBER	%
				1964-1965				
NEGRO-SEGREGATED SCHOOLS	188,128	89.2%	1,514	0.8%	673	6.0%	190,315	47.1%
WHITE-SEGREGATED SCHOOLS	663	0.3%	143,788	78.9%	2,063	18.3%	146,514	36.2%
INTEGRATED SCHOOLS	22,071	10.5%	37,064	20.3%	8,520	75.7%	67,655	16.7%
TOTAL	210,862	100.0%	182,366	100.0%	11,256	100.0%	404,484	100.0%
				1963-1964				
NEGRO-SEGREGATED SCHOOLS	176,709	87.8%	1,235	0.7%	751	6.4%	178,695	45.3%
WHITE-SEGREGATED SCHOOLS	669	0.3%	144,875	79.7%	2,096	17.8%	147,640	37.4%
INTEGRATED SCHOOLS	23,886	11.9%	35,671	19.6%	8,900	75.8%	68,457	17.3%
TOTAL	201,264	100.0%	181,781	100.0%	11,747	100.0%	394,792	100.0%

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

TABLE IX(B): DISTRIBUTION OF ALL HIGH SCHOOL PUPILS, BY TYPE OF SCHOOL AND RACE OF PUPIL: 1963-64 AND 1964-65

TYPE OF SCHOOL	RACE OF PUPILS							
	NEGRO		WHITE		OTHER		TOTAL	
	NUMBER	%	NUMBER	%	NUMBER	%	NUMBER	%
				1964 - 1965				
NEGRO-SEGREGATED SCHOOLS	29,658	68.0%	621	0.9%	58	2.7%	30,337	26.0%
WHITE-SEGREGATED SCHOOLS	739	1.7%	53,734	75.3%	558	26.3%	55,031	47.0%
INTEGRATED SCHOOLS	13,183	30.3%	16,937	23.8%	1,506	71.0%	31,626	27.0%
TOTAL PUPILS	43,580	100.0%	71,292	100.0%	2,122	100.0%	116,994	100.0%
				1963 - 1964				
NEGRO-SEGREGATED SCHOOLS	24,468	63.8%	411	0.6%	277	14.6%	25,156	22.3%
WHITE-SEGREGATED SCHOOLS	323	0.8%	56,839	78.3%	762	40.2%	57,924	51.4%
INTEGRATED SCHOOLS	13,575	35.4%	15,289	21.1%	856	45.2%	29,720	26.3%
TOTAL PUPILS	38,366	100.0%	72,539	100.0%	1,895	100.0%	112,800	100.0%

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

When pupil segregation is examined by degree, we find that at the elementary school level, a greater number and proportion of Negro pupils are attending absolutely segregated Negro schools than the number or proportion of white pupils who are attending absolutely segregated white schools. The proportion of Negroes in absolutely segregated Negro schools increased from 26.4 percent in the 1963-64 term to 29.2 percent this term, or by 2.8 percentage points. The proportion of whites in absolutely segregated white schools decreased from 20.3 percent in 1963-64 to 15.2 percent this term.

The actual number of Negro pupils in effectively segregated Negro elementary schools, increased, but the proportion of Negro pupils in these schools decreased by 1.4 points. Both the number and proportion of white pupils in effectively segregated white elementary schools increased.

At the secondary level the same pattern of increase in the number of Negro pupils and decrease in the number of white pupils holds for absolutely segregated schools; the same pattern of increase in white pupils holds for effectively segregated white schools. However, whereas the proportion of Negroes in effectively segregated schools decreased at the elementary school level, it increased at the high school level. Table X gives the distribution of pupils by race and degree of segregation.

In summary, there is increased segregation and less integration of Negro and white pupils in the public schools of Chicago this term. Negroes are more concentrated in Negro-segregated schools; the white racial balance in white-segregated schools decreased slightly due to entry of pupils designated as "others"; integration that occurred in white-segregated schools this term for the first time resulted primarily from entry of "others." One of 166 Negro-segregated elementary schools became integrated this term. It did so due to entry of white pupils.

TABLE X(A): DISTRIBUTION OF ELEMENTARY PUBLIC SCHOOL PUPILS BY RACE AND DEGREE OF SEGREGATION: 1963-64 AND 1964-65

RACE AND TYPE OF SCHOOL ATTENDED	DISTRIBUTION OF PUPILS 1963-64 NUMBER	1963-64 PERCENT	1964-65 NUMBER	1964-65 PERCENT	PERCENTAGE POINT CHANGE
ALL NEGRO PUPILS IN:	201,264	100.0%	210,862	100.0%	
SCHOOLS 100% NEGRO	53,182	26.4%	61,631	29.2%	+2.8
SCHOOLS 90-99.9% NEGRO	123,527	61.4%	126,497	60.0%	-1.4
SCHOOLS 90-99.9% WHITE	669	0.3%	663	0.3%	0
INTEGRATED SCHOOLS	23,886	11.9%	22,071	10.5%	-1.4
ALL WHITE PUPILS IN:	181,781	100.0%	182,366	100.0%	
SCHOOLS 100% WHITE	36,833	20.3%	27,582	15.2%	-5.1
SCHOOLS 90-99.9% WHITE	108,042	59.4%	116,206	63.7%	+4.3
SCHOOLS 90-99.9% NEGRO	1,235	0.7%	1,514	0.8%	+0.1
INTEGRATED SCHOOLS	35,671	19.6%	37,064	20.3%	+0.7
ALL "OTHER" PUPILS IN:	11,747	100.0%	11,256	100.0%	
NEGRO-SEGREGATED SCHOOLS	751	6.4%	673	6.0%	-0.4
WHITE-SEGREGATED SCHOOLS	2,096	17.8%	2,063	18.3%	+0.5
INTEGRATED SCHOOLS	8,900	75.8%	8,520	75.7%	-0.1

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

TABLE X(B): DISTRIBUTION OF PUBLIC HIGH SCHOOL PUPILS BY RACE AND DEGREE OF SEGREGATION: 1963-64 AND 1964-65

RACE AND TYPE OF SCHOOL ATTENDED	DISTRIBUTION OF PUPILS				PERCENTAGE POINT CHANGE
	1963-64		1964-65		
	NUMBER	PERCENT	NUMBER	PERCENT	
ALL NEGRO PUPILS IN:	38,366	100.0%	43,580	100.0%	
SCHOOLS 100% NEGRO	2,148	5.6%	3,758	8.6%	+ 3.0
SCHOOLS 90-99.9% NEGRO	22,320	58.2%	25,900	59.4%	+ 1.2
SCHOOLS 90-99.9% WHITE	323	0.8%	739	1.7%	+ 0.9
INTEGRATED SCHOOLS	13,575	35.4%	13,183	30.3%	- 5.1
ALL WHITE PUPILS IN:	72,539	100.0%	71,292	100.0%	
SCHOOLS 100% WHITE	12,115	16.7%	5,732	8.0%	- 8.7
SCHOOLS 90-99.9% WHITE	44,724	61.6%	48,002	67.3%	+ 5.7
SCHOOLS 90-99.9% NEGRO	411	0.6%	621	0.9%	+ 0.3
INTEGRATED SCHOOLS	15,289	21.1%	16,937	23.8%	+ 2.7
ALL "OTHER" PUPILS IN:	1,895	100.0%	2,122	100.0%	
NEGRO-SEGREGATED SCHOOLS	277	14.6%	58	2.7%	-11.9
WHITE-SEGREGATED SCHOOLS	762	40.2%	558	26.3%	-13.9
INTEGRATED SCHOOLS	856	45.2%	1,506	71.0%	+25.8

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963; STUDENT SURVEY - November, 1964

V. APPENDIX

The racial headcount reports gave statistics on membership for the 20th day in each school year and statistics on the actual number of pupils in attendance on the days when the headcounts were taken. Three problems arose in our attempt to make meaningful comparisons between the statistics for the 1963-64 and 1964-65 school years.

First, only the headcount statistics were reported by race. The membership statistics were reported for total number of pupils. Secondly, attendance on headcount day in 1964 was less than that on headcount day in 1963, despite a reported increase in school enrollment for 1964. Third, the 1963 headcount statistics included both A.M. and P.M. kindergarten pupils, but the 1964 headcount statistics included only A.M. kindergarten pupils. P.M. kindergarten pupils were not counted.

In order, then, to meaningfully compare the data for the two school years, a procedure had to be worked out whereby errors could be minimized as a result of this inconsistency of reporting. Thus, after racial designation of a school was known from headcount percentages, we calculated estimates of the number of pupils in each racial group who were absent on the days the headcounts were taken. Estimates were calculated on the basis of the percentage which racial groups constituted in each school reported upon on racial headcount day. We assumed that the proportion of pupils in each racial group absent in each school would be about the same as the proportion which that racial group constituted of the school's total population. Our procedure was as follows: For each school, we subtracted the headcount total from the 20th day membership total to get the number of pupils absent. We then calculated the proportion of this absentee figure which each racial group accounted for on the basis of their proportion of the headcount totals to get the estimate of absentees for each group. The estimates were then added to the headcount statistics for each school to get a total enrollment figure by race, and to account for P.M. kindergarten pupils in the 1964-65 school term.

The Appendix Table which follows gives the actual number of pupils reported by the Board of Education as having been counted, plus our estimates of the number of pupils who were absent from all schools on the days the headcounts were taken.

APPENDIX TABLE

PUBLIC SCHOOL ENROLLMENT, BY RACE: 1963-64 AND 1964-65

RACIAL DESIGNATION AND SCHOOL LEVEL	TOTAL NUMBER OF STUDENTS	NUMBER PRESENT [1]	ESTIMATED ABSENTEEISM	PERCENT OF TOTAL
		OCTOBER, 1963		
ELEMENTARY:				
TOTAL ENROLLMENT	394,792	375,687 [2]	19,105 [2]	100.0%
NEGRO	201,264	191,377	9,877	51.0%
WHITE	181,781	173,141	8,640	46.0%
OTHER	11,747	11,169	578	3.0%
SECONDARY:				
TOTAL ENROLLMENT	112,800	106,587	6,213	100.0%
NEGRO	38,366	35,612	2,754	34.0%
WHITE	72,539	69,178	3,361	64.3%
OTHER	1,895	1,797	98	1.7%
		OCTOBER, 1964		
ELEMENTARY:				
TOTAL ENROLLMENT	404,484	358,047 [3]	46,437 [4]	100.0%
NEGRO	210,862	187,011	23,851	52.1%
WHITE	182,366	161,024	21,342	45.1%
OTHER	11,256	10,012	1,244	2.8%
SECONDARY:				
TOTAL ENROLLMENT	116,994	108,911	8,083	100.0%
NEGRO	43,580	39,690	3,890	37.3%
WHITE	71,292	67,264	4,028	60.9%
OTHER	2,122	1,957	165	1.8%

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[1] Pupils counted in racial surveys.

[2] Includes both A.M. and P.M. Kindergarten.

[3] Does not include P.M. Kindergarten.

[4] Includes absentees from grades 1-8, plus P.M. Kindergarten.

SOURCE: Chicago Board of Education Reports: RACIAL HEADCOUNT - October, 1963;
STUDENT SURVEY - November, 1964

Chairman **Powell**. This shows that segregation in the schools of Chicago increased radically in 12 months. The segregated schools have gone from 381 in 1964 to 394 in 1965, and the schools with 100-percent Negro population, 45 in 1964 and 54 in 1965. Schools having 99 percent white were 167 to 175.

Will you comment on this, please, and without objection, it will go in the record.

Mr. **Willis**. Our people have checked that and I might say with regard to the pupil segregation point that it has increased, as I think I referred to on page 24—in the integrated schools in 1963–64 there were 301,930 children. In 1965 there was 312,525, or an increase of 10,605.

The 100-percent white or Negro schools had a decrease of 913.

In the case of high schools, there was a plus 9,390 pupils in integrated schools, and a minus 5,199 in the schools of one group.

For all schools, the enrollment increase was 13,883.

With respect to fewer Negro pupils attending integrated schools, we find a check in the elementary schools. It has increased, and in high schools it has increased, for a total increase of 4,753. There were more elementary and more high school children attending integrated schools in 1964 than in 1963 and we think it will be more in 1965, this fall.

Chairman **Powell**. Now, you indicated in your testimony that the Negro schoolchildren are culturally deprived. Are you not making the situation worse—and I want you to talk as an educator—when you deny them an integrated school experience?

Mr. **Willis**. The first suit brought against the board of education was brought by parents of white children, and in the document it is explained that it refers to Harlan High School. We defended the suit and we won it. But we couldn't prevent the movement of people, we couldn't control that, and the school has changed considerably in 5 years.

But let me point out, I did not say who is culturally deprived. We think that there are many children who are culturally deprived of many races, and ethnic groups for that matter. It was in 1955 that we brought together people from the then 10 largest cities in America. We began to study a series of problems. We began with "the world of work."

Incidentally, that resulted in part at least in the Vocational Act approved by the U.S. Congress. That was in 1955. In 1957 we tackled the problem, we didn't know what to label it, but we knew that many people were out of work and there was much in-migration into the cities and we knew that here was a need for special services. This resulted in going to the Ford Foundation and getting a grant for these cities of some $4½ million, and various cities began to tackle the problem.

We had great difficulty in labeling this effort. It is referred to as the "gray" areas, the culturally deprived, and I forget how many other labels, but the one label that has seemed to be used continuously is the one that we are talking about, the culturally deprived.

Chairman **Powell**. In your next to last page of your testimony, page 23, I would like to start paragraph by paragraph to ask you what procedures were used. What procedures specifically are you using now?

Mr. Willis. You are referring to the second paragraph on page 23?

Chairman Powell. Starting with the first one at the top of the page, when you say you have continued to experiment with procedures.

Mr. Willis. Will you refer to what you are doing this summer?

Dr. Stack. There have been a number of programs which have been developed with the specific intention of providing an integrated education opportunity for increasing numbers of children. I would mention two or three.

The first one is a permissive transfer program. We have had very limited success with that in the first instance, but the number of children who are taking advantage of it at this time is increasing. We had very few elementary children taking advantage. Last year we had some 600 high school children transferred on permissive transfer, and in September we anticipate that there will be 948, or at least 948 have indicated their intention to do so.

We did initiate a cluster this last year which had, again, rather limited acceptance.

Chairman Powell. How did you notify the parents with regard to these cluster points? You just testified that the number is almost insignificant.

Dr. Stack. There was an initial notice sent to the child's parent and this was followed by meetings in the school of the principal and parents, the district superintendent and parents.

Chairman Powell. In the elementary schools, how many Negroes have been included in cluster points?

Dr. Stack. In the elementary schools, in permissive transfer, there were 102, I believe.

Chairman Powell. One hundred and two in the city of Chicago?

Dr. Stack. Yes, sir. There is great reluctance on the part of parents of elementary children to go a distance, and as was indicated on one of these maps, the distances involved are great and the high school children are more mobile.

Mr. Willis. Would you refer to the number of high school children?

Dr. Stack. Six hundred last year.

Chairman Powell. What about the concept of paying transportation for the poor transferees in an open transfer plan? What about that?

Mr. Willis. This was discussed at great length with the board of education and they rejected it.

Chairman Powell. Is the board of education elected or appointed?

Mr. Willis. They are appointed. I would like Mrs. Carlson to make another point on your previous question.

Would you refer to South Shore?

Mrs. Carlson. We have suggested and recommended and it has been approved by the board of education that we have a plan for South Shore which will, or certainly is intended to stabilize the community. This plan involves a number of kinds of things—special class sizes in relation to needs of the children. The area is an integrated one. You do have some all-white schools, and you do have one that is almost all Negro, but you have a number that are integrated by, I think, anybody's definition.

The plan includes a special auxiliary staff, a community education council, and parent-school community coordinators with specific roles to work with parents and nothing but this.

It includes a district service, educational service, that would mean much, we think, in terms of the community and of the school. There are all kinds of new special ideas in education that, with money, we think we can put into effect to make a difference in an area.

We do have continuous development of teaching which would involve the newest kind of technology and machines, and something that we would love to have all over the city, but still, as we have indicated, we have to have some dollars from someplace beyond what we can get from the property tax at the present moment.

We need a new building for the high school, enough mobiles until we can get buildings to bring the class size down to what we are talking about, and a community that we think is behind the program and will cooperate with the schools which, of course, we think is essential.

Mr. **Willis**. I might say at this point that we are hopefully anticipating the passage of the appropriation bills in connection with the $1½ billion program. This is going to make a lot of difference. Dr. Stack referred to the high schools.

Dr. **Stack**. I would like to say also that we have in a number of instances made reorganizations of the grades in a given school, or in several schools, in order to result in increased integration. At the Spry and Henderson Schools, just to cite two examples, we have created upper grades—seventh and eighth grade—centers and moved Negro children into schools which were attended almost entirely by white youngsters, and the schools were located in areas which were basically white. This was done also at the Marconi School, and there would be a number of examples of this which could be cited.

We have also done this through the movement of special education pupils out of the Parker School, for example, attended predominantly by Negro children, into the Morrill and Marquette Schools, which were in white communities and attended predominantly by white children.

Chairman **Powell**. I would like to ask a question.

What happened to the Hauser plan?

Dr. **Stack**. If you want to refer to this one, we have a report that we will file as part of our documents.

Dr. **Lewis**. Without having a thing in my hand, we could indicate that the first recommendation had to do with the so-called cluster kind of program. The second one had to do with optimal use of space which is being implemented in terms of the permissive transfer plan. There were some suggestions in relation to open enrollment for vocational schools. This has been done. Also, the use of mobile classrooms to further integration or to stabilize, help to stabilize the community. These things have been done.

One of the recommendations had to do with faculties. We have done a number of things here. Decreasing the number of transfer lists on which a teacher could put his name; instituting a transfer on loan procedure. There are a number of things there. We are holding a certain percentage of the vacanies, teacher vacancies in each school, so that we are thereby delaying transfer of some teachers from intercity schools to other schools. There are a number of things that have been done there.

I would say that some progress has been made on a number of these recommendations. I think we are pressed in terms of funds, and when we get into the saturation program or the additional loaning reservoirs things of this nature we cannot do very much.

However, our legislature did help us this time by increasing the textbook allotment, so this should help.

Mr. **Willis.** We have a report to the board which is dated April 29, 1965. We have another report, August 26, 1964. This report was in 1964 [indicating]. The board wanted to know what had come from certain sources. This is a compilation of what had been done, recommended over a long-term period of time. We would be happy to file copies of this with the committee.

Chairman **Powell.** What is the purpose of the fact that the board voted 8 to 1 against the Armstrong plan in the State of Illinois?

Mr. **Willis.** I beg your pardon?

Chairman **Powell.** The State of Illinois Legislature passed a bill initiated by a member named Armstrong. The board of education in Chicago rejected that program by a vote of 8 to 1.

Mr. **Willis.** I think that is in error.

Chairman **Powell.** Then correct me and correct the record.

Mr. **Willis.** I think that is an error because the board did not vote on the Armstrong program in the legislature. It was passed by the legislature and signed by the Governor.

Chairman **Powell.** I would like to make an announcement that the White House just called me and I am sure that the ladies and gentlemen of the press will want to know that the President just named the new Secretary of Health, Education, and Welfare, John Gardner.

Mr. Pucinski.

Mr. **Pucinski.** I think you have given this committee an impressive report of your records in Chicago and have shown that regardless of their race, creed, and color, a good education is necessary and you certainly have shown this committee what the problems are.

I wonder if Dr. Lewis would care to develop further what seems to be the heart of your problems here, that is the changing community?

I gather from her statement that in the case of the one school, Dr. Lewis mentioned at the time you had planned this school, it had been the intention of the board—and all statistics that were made available to you indicated that this would be an integrated school, and that 15 percent of the children in that school or at least 15 percent, would be white. In the 2-year period of construction the neighborhood had changed so substantially that when you opened the door the enrollment there was reduced to only 3-percent white. Is this a common occurrence in Chicago?

Dr. **Lewis.** This is a common occurrence. I would also cite a school which I believe was mentioned here some time ago. This is not necessarily a recent occurrence. I believe it was 1958 when the Harlan High School was opened. It was anticipated that the enrollment at Harlan, from the way the district was set up, would be 50-percent Negro and 50-percent white. The enrollment at Harlan at the present time is 9.7-percent white students. This is a common problem of locating the school in the peripheral area where you anticipate it is easiest to get an integrated community in the school population. But this does not work that way if white families move out or take their children to private or parochial schools, and that has been the situation.

Mr. Pucinski. I was further impressed with your candor and frankness in saying that you in Chicago have a much higher standard than some of the, perhaps, southern communities of this country in designating a school to be integrated or segregated. I was impressed to hear you say that in a school of 3,500 children, where you had 350 white or 10 percent, you considered that, for the purpose of your statistics, as a segregated school.

You make no claims, nor did you try to fool the Congress or school board or community or your critics that you had an integrated school there, because, as I gather from your testimony, that standard is not sufficient to constitute an integrated school.

Am I correct in that conclusion?

Dr. Lewis. I believe that any conclusion about what constitutes an integrated school or a segregated school is an individual concept. I believe that the figures that have been used here in the map have indicated the 10 percent as an integrated school. I personally feel that—well, maybe you don't want my personal reaction—but I personally feel that where children are having an experience of living and working together in a classroom with children of other races, that this is important for those children and it may be in 1 classroom or 20 classrooms, it may be 100 children or 500 children, but I think we are begging a point when we say that a school is segregated and I think there is a difference between the segregated and the integrated, if it has 350 children or 10 percent of another race.

Mr. Pucinski. In your statement you say—and I presume that this is the policy of your board—that—

> we do believe it is desirable for children of different races to associate and to come to know and understand each other. But this requires children of both races. We will continue to experiment toward the end that this association may be provided.

What are you doing in terms of experimentation toward that goal?

Mr. Willis. There are a number of things that have been going on for a number of years. Chicago schools have always been integrated schools, as far as I can find out. But certainly we have believed and——

Chairman Powell. Would you repeat that? I did not hear you correctly. You said Chicago schools have always been integrated?

Mr. Willis. Some, yes. Some.

Chairman Powell. Oh, some.

Mr. Pucinski. You mean Chicago has never had any segregated schools?

Mr. Willis. It has never segregated children as such on any basis.

Chairman Powell. The school board, on March 29, 1958, by a vote of 8 to 1, opposed the Armstrong Act. That is contrary to what you said. Let us be honest with each other here today.

Mr. Willis. I would have to look it up.

Chairman Powell. I looked it up.

Mr. Pucinski. Would the gentleman be good enough to hear the source of the information? I am kind of puzzled here that the people who work with it don't know.

Chairman Powell. Yes, I am puzzled too, that I find someone that does not know what "integration" means.

Mr. Pucinski. Mr. Chairman, might I suggest the spokesman for the research committee will appear before this committee, and perhaps Dr. Willis will be good enough to check his records and give us a report of that.

Chairman Powell. We all agree that he has done research in this area.

Mr. Pucinski. Dr. Willis, one final question here. What will this Federal aid program mean to you, in Chicago, in terms of improving the quality of education in the impoverished area? What plans do you have for that?

Mr. Willis. We have made extensive plans in terms of being ready when the bills are passed, and we can deal with the State or other agency as provided in the bill, but certainly we would want to move forward and have available more services to teachers and pupils in the various schools, and certainly have the services in relation to the needs of pupils.

We have suggested, for instance, as a beginning, making school districts much smaller than they are, pouring in services of some 25 people in relation to 10,000 children, but not assigned to classes within a school. Also, after school classes, smaller classes, special services, whether they be medical, or other services.

I think I should point out that the figures generally used with respect to New York City and suburban areas, the indicated expenditure per pupil is about twice ours. Certainly for $2 you buy what you don't buy for $1. Consequently, with the additional $10 or $13 million, whatever the money will be, it will be used to purchase more services to children.

Mr. Pucinski. Finally, the charge has been made, and perhaps this is the heart of this investigation, that the School Board of Chicago has purposely and willfully gerrymandered school districts, both at the elementary and secondary level, in order to perpetuate segregation.

Would you comment on how you draw up these districts and whether or not there is any merit to that charge?

Mr. Willis. First, I would say that the charge is not true. The statement is not true, and I would like to emphasize it in the first place.

In the second place, the drawing up of districts involves the capacity of buildings and involves the number of children you are dealing with. We had an increase of 211,000 children over a period of time which involved us in 275 more facilities and so on, and 13,000 teachers.

But certainly, again, the point is that district attendance areas have not been gerrymandered, and, in fact, if you want to take the time, I will take you over the streets and show you where the reverse has been done; that is, not in gerrymandering, but in making absolutely certain that certain other things would happen that would be the reverse of gerrymandering.

Mr. Pucinski. I have many other questions, but my colleagues, I am sure, have some questions and I will yield at this time with the hope that maybe he will come back.

Chairman Powell. Would it be possible, Dr. Willis, to come back around 5:30 or 6 o'clock today?

Mr. Willis. Provided I can get through today. I have to get through today. If you say 5 o'clock and if it is what you and the committee would like, we will arrange to do so.

Chairman POWELL. All right.

Mr. Ayres, do you have a question?

Mr. AYRES. Very briefly. Perhaps you don't have the answer to these questions at your fingertips, but I do think that there is a basic problem, and we have to get this answered.

You have been a superintendent now for 12 years; is that correct?

Mr. WILLIS. That is correct.

Mr. AYRES. What has been the increase percentagewise in the Negro population in Chicago proper where you have jurisdiction?

Mr. WILLIS. We have no records to go to except the U.S. Census records other than what we did get through an observation head count by teachers during the last two Octobers. But as we look at the census record, in fact, we have the figures here and I didn't use them. I think perhaps I can find them.

That is what happened in the 1960 census in the 5-year-olds and under. In the period between 1950 and 1960, the number of white children under 5 residing in Chicago decreased by 8 percent, or 22,643. I assume you could divide by 5, and you have 4,000 on an age level. During that same period of time, the nonwhite children under 5 years of age residing in Chicago increased by 141 percent, or 76,139 children. Divide that by 5.

The problem that you are discussing means, in one sentence, you have to have, if you are going to have integration of two, the difference in the two. But again, the white children reduced 22,643. This is 1950 to 1960. The children in the census, the nonwhite, increased 76,139.

Mr. AYRES. Your recordkeeping in your school system may not reflect this in all areas, but you can tell what percentage of the children in grades 1 through 6 were actually born in Chicago?

Mr. WILLIS. We have made some spot checks.

Mr. AYRES. The point is, where do the children come from?

Mr. WILLIS. Your reference is to in-migration. We don't have in this presentation a great deal on in-migration, but we do know that a school of 1,200, or 1,600, would open in September with half of the children new to that school in that community and new from out of the city in many cases. When we checked the 14- and 15-years-of-age and older group that we took out of the elementary schools and we found that 25 percent of them came from Mississippi. We found that another high percentage came from States adjacent to Mississippi. This is the in-migration.

While the in-migration is going on, we have out-migration to the suburban areas as is happening all over America. Here are the figures:

In 1950, the decade of birth, the population changes, within a single age group, in 1910 to 1920, in the period from 1910 to 1920, the nonwhite population, 47,370; 1950, 94,000; 1960, 95,000. But as you go up to 1960, the figures run up to over 200,000. I should put this down in a way that you would get it.

Mr. AYRES. I think as we get into this, it is going to be very important to find out where the increase has come from, and how capable they are of fittting into your structure as you are now operating in Chicago.

Mr. WILLIS. I should add, Mr. Ayres, that I think our city, like many other cities in this country, and not all of them, have made a tremendous effort using the sources of funds available, pretty generally taxes on property, to meet this expanding population in the cities of America. It is for that reason that a number of us believe that this Federal bill is a good thing. It is not a city problem alone. It is a State problem, and it is a national problem; that it is due to the mobility of people, the urbanization that is going on in our country, the technological changes that are taking place, tensions which result—these pose the major challenges to education.

This is what we have been working at and what we are talking about.

Chairman POWELL. Thank you. We would like to have you come back at 5 o'clock and leave your address with the committee staff so they can reach you.

The next witness is Dr. Philip M. Hauser, chairman of the Department of Sociology of the University of Chicago and chairman of the Advisory Panel on Integration of the Public Schools and author of the Hauser report.

Will you kindly come forward?

STATEMENT OF PROF. PHILIP M. HAUSER OF THE UNIVERSITY OF CHICAGO, AND CHAIRMAN OF THE ADVISORY PANEL ON INTEGRATION OF THE PUBLIC SCHOOLS

Mr. HAUSER. As a native and a citizen of Chicago, I should like first of all to express my great sorrow about the ugly image which Chicago is acquiring by reason of its de facto school segregation and related problems.

I should like to point out that in virtually all other realms, and especially in respect of open occupancy in housing, fair employment practices, and in health, welfare, and police practices, among others, Chicago public agencies involved have a relatively good record in working toward integration and equal services and opportunity for all.

Among the public agencies in only those in the field of education has Chicago failed to take the initiative and leadership and press for integration and improved services and opportunity for the Negro.

I cannot, of course, minimize the overwhelming importance of an adequate education as a prerequisite for providing the Negro with equal opportunity and preparing him to take his rightful place as an American with full rights and obligations of American citizenship.

Moreover, I cannot claim that all that has been done in the other public realms has always been right or the best for we in Chicago, along with others, are still fumbling for the right answers in many spheres.

But I do feel it is important, in the interest of fairness and balanced perspective to stress the fact that Chicago in realms other than education is, in general, attempting to meet its public responsibilities to the Negro community and that Chicago's record is not all one of failure.

I know that I have been invited to this hearing because I happen to have served as a member and chairman of the advisory panel on integration of the public schools. This panel, as you know, was established to effect on out of Federal court settlement of a suit, *Webb* v. *The Chicago Board of Education* in which the plaintiffs alleged that there was de facto segregation in the Chicago schools and that public education for Negro students was not only separate but, also, inferior.

The panel was given instructions by the board of education to analyze and study the school system in particular regard to schools attended entirely or predominantly by Negroes, define any problems that result therefrom, and formulate and report to this board as soon as may be conveniently possible a plan by which any educational, psychological, and emotional problems or inequities in the school system that prevail may best be eliminated.

The panel delivered its report to the Chicago Board of Education on March 31, 1964. The report which has locally become known as the Hauser report was actually the unanimous report of a five-man panel.

Besides myself it included such outstanding men and educators as Sterling McMurrin, professor of philosophy at Utah University, vice chairman of the panel, and former U.S. Commissioner of Education; James M. Nabrit, Jr., president of Howard University, and a distinguished lawyer; Lester Nelson, former principal of Scarsdale High School and former associate director of the educational program of the Ford Foundation; and William R. Odell, professor of education at Stanford University, a former school superintendent, and director of the recently completed survey of the Philadelphia school system.

A copy of the report, which I am informed is virtually impossible to obtain from the Chicago Board of Education, is appended to my testimony.

Since the report is now about a year and a half old, I shall refrain from summarizing it except to say that it makes clear:

1. That the public schools in Chicago are very much segregated—84 percent of the Negro pupils are in all Negro elementary or high schools or schools with fewer than 10 percent white.
2. That Negro teachers are also very much segregated.
3. That the education available to Negro pupils is by a number of measures inferior to that available to whites. Moreover, it became apparent, as is more fully documented in the Havighurst survey, that the quality of education for white as well as Negro pupils in Chicago, leaves much to be desired. I shall be glad to elaborate on the philosophy, findings and the 13 recommendations in the report if you wish.

I should like to concentrate in this statement on developments since the advisory panel report was submitted to the Chicago Board of Education; and to a consideration of the general situation in respect of integrating the schools in Chicago.

The Chicago Board of Education in its resolution of August 28, 1963, creating the advisory panel pledged itself to promptly take such action as it may determine is appropriate or required to work toward a resolution of any problems and any inequities found to exist; and it approved the report in principle within 9 days.

However, virtually nothing of substance has been done to implement the report in the almost year and a half which have elapsed since the report was submitted to the board.

On the contrary, the evidence has mounted that the general superintendent of schools, Dr. Benjamin C. Willis, is unalterably opposed to the implementation of most of the elements of the report.

Moreover, despite the board's approval of the report in principle and despite the board's specific instructions at a number of points, the general superintendent has been able to prevent or to sabotage the programs which were recommended.

Subsequent to the submission of the advisory panel report it should be noted that the Havighurst survey was also completed and submitted to the board on November 12, 1964.

This comprehensive survey of the Chicago schools in which 38 educators participated supports the findings and recommendations of the advisory panel at all points of overlap.

It may be observed that the general superintendent of schools, who insisted on becoming a member of the committee which surveyed his stewardship of the Chicago public schools, boycotted the committee in its work, and has been considerably less than enthusiastic about accepting its recommendations.

Among the things that the general superintendent has failed to do is to provide the information as to what action, if any, has been taken or is contemplated in accordance with the recommendations of this panel.

It is not possible, therefore, for me to recite in detail all that the general superintendent has caused to be done or not to be done in respect of the advisory panel report.

It is known, however, that the board of education did create a committee of the type recommended by the advisory panel—a biracial friends of the Chicago schools committee—which was to work with the board and the general superintendent on the implementation of the panel's recommendations.

This committee has been misused and abused. For a considerable portion of the time which has elapsed since its appointment, it did not even have a chairman. When it was used an effort was made to use it as a rubberstamp for the board and the general superintendent rather than in the manner contemplated by the panel. Recently, in sheer disgust, a number of the members of this committee resigned and they have not been replaced.

Also, finally put into effect, was one experimental cluster plan—the type of plan recommended by the panel which involved a plan for modified open enrollment for three high schools—South Shore, Hirsch, and Bowen.

This was accomplished only over the general superintendent's protest; sabotaged in its execution by his subordinates; and then disrupted after less than a semester's trial for a new scheme which promises to destroy the integration which was effected.

Thus, only parts of 2 of the 13 recommendations have, to my knowledge, been in any way, implemented, and both of these have been aborted.

I think, Mr. Chairman, rather than to attempt to detail what has not been done to effect integration of the schools and to improve the quality of education in the Negro schools it would be more useful for me to point to the reasons for the sad situation which exists.

In doing this I believe that the committee will be alerted to the forces which are impeding school integration in Chicago.

However, if a blow-by-blow account is desired of the sequence of events, as seen by an impartial outside observer, I suggest you obtain a copy of the report to the U.S. Office of Education on the public schools of Chicago, prepared by Prof. John E. Coons, at present at the Northwestern University School of Law.

First of all, it must be recognized that the Illinois State Legislature has for many years neglected Chicago's schools and is in large measure responsible for the chaotic condition that characterizes the relationships between the Chicago Board of Education and the general superintendent of schools.

The board is set up by the Illinois statute as a separate body politic and corporate. Although its members are appointed by the mayor of Chicago, the board is essentially an autonomous body, fiscally and in its substantive actions.

The statutes leave ill defined the relationship between the board and the general superintendent, as a result of which it is often difficult, especially with the incumbent general superintendent, to tell who is the employer and who is the employee.

For details about the ambiguities in the board and the general superintendent's duties and the fantastic way in which they are carried out in practice, I refer you to the volume, the "School Board Crisis—A Chicago Case Study."

It was written by a well-qualified scholar, Dr. Joseph Pois, now on the faculty at the University of Pittsburgh, which he joined after retiring as vice president of the Signode Steel Co. in Chicago. Dr. Pois served as a member of the Chicago Board of Education for some 5 years during the tenure of the present general superintendent of schools.

In addition to the organizational and functional deficiencies in the Illinois statutes governing the board, the Illinois State Legislature has been more than niggardly in appropriations for public education. As a citizen of Illinois I am ashamed to admit that until the recently concluded session of the legislature the great State of Illinois ranked 47 among the 50 States in effort in respect of the public schools. That is, it ranked 47th in the funds per child of school age made available for public education in relation to the wealth of the State.

In assessing the responsibility for the miserable situation in the Chicago public schools, the badly unrepresentative Illinois State Legislature with callous disregard for many of Chicago's needs, including educational needs, must be among the agencies held culpable. In fact, the failure of the Illinois Legislature, as well as other State legislatures to deal with urban problems, is what has forced city after city, including Chicago to turn to the Federal Government for assistance.

Second, the Chicago Board of Education as a body has failed miserably to meet the challenge of the contemporary Chicago scene. Although the board possesses some competent and conscientious members, as a body it has been characterized by dynamic inactivity—by a lot of motion and commotion but with very little to show for its efforts in the way of integrating the schools or improving the quality of education for Negro and other pupils.

The Chicago Board of Education has been a custodian of the past, rather than a leader into the present and the future. It has failed to grasp the enormity of the changes required in the traditional educational system to meet the requirements of the postwar world. It has been more concerned with keeping school costs down than producing citizens who can cope with the problems of metropolitanism as a way of life. In consequence, although it has been relatively successful in keeping school budgets low, it has undoubtedly made a major contribution to increasing the cost of public welfare and relief, the other costs of unemployment, the cost of delinquency and crime, and the cost of high morbidity and mortality. The Chicago Board of Education has literally passed the buck to the Cook County Welfare Department, to the Chicago and other police departments, to correctional institutions, and to hospitals and morgues.

The Chicago Board of Education, despite its reluctant admission of the existence of de facto segregation and declared policy for integration, has been inept in making its policy stick. Its members have been, and are, badly split about the implementation of the advisory panel report and the Havighurst survey. The attitude of some board members, if not a majority, was recently stated by Mr. Thomas Murray on a CBS television show. After claiming that Chicago's schools are more integrated than other cities, he declared that "Chicago is not yet ready for more integration." In this declaration he has joined for the historical record the famous declaration of oldtimer Alderman Paddy Bauler who held that "Chicago ain't ready for reform" in other contexts; and the State legislator, whose name slips my mind and who is probably best forgotten who similarly declared that the Illinois State Legislature "is not yet ready for reform."

The truth of the matter is that it is not yet clear that a majority of the members of the Chicago Board of Education are ready to take the initiative and leadership to force the general superintendent of schools to obey the law of Illinois (the Armstrong Act), the policy of the national administration, and the moral and educational need to integrate the schools.

Third, the educational mess in Chicago to a considerable extent can be laid at the door of the incumbent general superintendent of schools. He is presumably the professional head of the Chicago public school system, but he is being pushed and prodded into policies and programs into which he should have lead the schools; and he has as yet not been pushed very far. He has still to make a public declaration to the effect that he is in favor of integrating the schools. He has still to explain why the only programs he has advocated and instituted, to effect integration where the permissive transfer plans (and limited ones at that) which he must have known have failed elsewhere as well as the three times he inflicted it upon Chicago. He refused to fill the post of assistant superintendent for integration, recommended both by the advisory panel and the Havighurst survey and placed in the budget by the board of education. By reason of a recent special order of the board, following the pressures generated by demonstrations in the streets, he has finally consented to propose a candidate for the post on August 11. But, if he names an assistant superintendent as cowed and subservient as his other administrative associates, the action will have no significant meaning.

The general superintendent of schools has been blind to the problems of the Negro pupil and has taken refuge in a policy of "good education for all children regardless of color." This naive stance assumes that education occurs in a vacuum without regard to the social milieu. To assume that the problem of race can be ignored in the contemporary Chicago setting is to demonstrate trained incapacity to deal with education in the urban community. The incumbent general superintendent of schools is indeed an example par excellence of what Thorstein Veblen had in mind when, more than a generation ago, he referred to "trained incapacity" and he is not alone among school superintendents in his trained inability to come to grips with contemporary school problems. Education has become so important in the contemporary world that, to paraphrase Clemenceau, it can no longer be entrusted to the educationalists.

Finally, the fourth factor in the educational mass in Chicago is to be found in the attitudes of civil disobedience among some parts of Chicago's population, and apathy on the part of others. Much is being made these days of the civil disobedience of the demonstrators in Chicago, white and Negro, who have taken their grievances to the streets. But there is civil disobedience to be found also in the Illinois State Legislature which has refused for decades to make itself a representative body and to head Chicago's needs, including her educational needs. There is civil disobedience among members of the board of education who are refusing to follow national policy and Illinois law to integrate the schools. There is civil disobedience in the general superintendent's office in also refusing to follow national policy and Illinois law. There may be collaborative civil disobedience among the board of education and the general superintendent of schools in the "under the table," and possibly illegal, deal effected in the renewal of the general superintendent's contract. The courts, it is to be hoped, will soon decide this one. There was civil disobedience in southwest Chicago when white parents literally stormed the city hall when they were faced with the, to them, horrifying prospect of eight honor roll Negro students invading what they regard as their high school (Regan). There is civil disobedience in the attitude made explicit by the leader of the real property owner associations in the Southwest side of Chicago in declaring that "It is a God-given right of parents to select the religion and race of the children with whom their children will associate in the public schools." (This is in a radio debate with me on WIMD, Chicago.)

I cannot condone any form of civil disobedience. But I can better understand the civil disobedience of the white and Negro citizens in Chicago who are desperately attempting to get rid of the incumbent general superintendent of school when I see the civil disobedience of the State legislature, of the board of education, of the general superintendent, and of the white supremacists and racists in Chicago.

The general superintendent of schools, Dr. Benjamin C. Willis, has become the symbol of segregated schools not only to his detractors, white and Negro but, also, to his supporters. His recent under-the-table reappointment was heralded by many as a great victory for white supremacy. His refusal to integrate the schools and his silence on the subject which I hope will be broken here this morning—a statement from him is long overdue—has made him the champion of racists in Chicago as well as the devil of the civil rights movement.

A few final perspectives. The State legislature, the board of education, and the general superintendent of schools are not responsible for segregated schooling in the sense that they did not create it. De facto segregation in the schools is the product of segregated housing and the neighborhood school policy. Needless to say, complete integration of Chicago's schools is not possible with present patterns of segregated housing—a pattern reinforced by the State legislature's failure to pass open occupancy legislation. But it is possible to do more than has been done and this is what the shouting is all about in Chicago. The Illinois State Legislature, the Chicago Board of Education, and the general superintendent of schools are culpable and guilty of at least immoral, if not illegal, behavior for their parts in the failure to integrate the schools at least at those points where integration is feasible.

A word about the neighborhood school policy. One of your witnesses is a meddling mother of an organization known as MOMS (Mothers Opposed To Meddling in the Schools). She may not recognize that she also is meddling, which is her right and privilege. She is here, she announced in advance, to defend the neighborhood school policy—a policy that has become sacred, curiously enough, to those opposed to integration. We have abandoned the neighborhood school policy in many places—what else is the consolidated school? Affluent or religious parents have for generations bypassed the neighborhood school to send their children to private and parochial schools. The crocodile tears about the good old neighborhood school might be more convincing if they were not pouring down the faces of the same people who in other respects and on other fronts, especially housing, are opposing integration.

I shall conclude these brief remarks by expressing the hope that if enough local intellectual and moral leadership cannot be mustered to do the job, the Federal Government will intervene as necessary to achieve integrated and high-quality education for Chicago's children and children in other cities. It is a curious thing that those who scream the loudest against Federal intervention are the very persons who by their callousness and inaction force it. So has it been on many fronts in the history of the United States. So is it now in public school education.

Mr. Chairman and members of the committee, may I say I appreciate this opportunity to be heard on the subject which in my judgment is perhaps the most significant domestic subject which faces this Nation.

The future of not only many millions of Americans, but I think without question the future of the cities of this Nation, and the future of the United States itself, may well hinge on whether or not we are successful in providing an adequate education to all of our citizens.

I should like, as I say, to deal with some of the materials that have just been presented by the superintendent of schools, Dr. Benjamin C. Willis.

Questions were raised, for example, about the number of children per classroom. I read from appendix A of the report to the board of education by the advisory panel on integration of the public schools, which I might say, Mr. Chairman, has become locally known as "the Hauser report," but it was actually the report, the unanimous report, of a five-member panel, the other four of whom are very distinguished citizens and educators. The appendix to the report indicates as of the fall of 1964 the percentage of elementary schools with overcrowding or underutilization of rooms by whether the school was white, integrated, or Negro. White elementary schools were those with all white pupils or with fewer than 10 percent Negro and so on. At white schools in only 12 percent was the ratio of students to rooms 35 and over; whereas, the percentage was 40 percent for the Negro schools. That is, the contrast between Negro and white schools on an overcrowding was 40 versus 12 percent.

Contrarywise, 46 percent of the white schools averaged fewer than 30 pupils per room, in contrast with only 15 percent for the Negro schools.

I think those are figures as of September of 1964 which have not been modified appreciably since, and should be available to the committee. They are in the advisory panel report.

Chairman POWELL. Without objection, the Hauser report shall be included in the committee record as an appendix.

Mr. HAUSER. Mr. Chairman, I regret I can give only one copy of this report to the committee, because I am out of them. I understand they are very difficult to get from the board of education, but I should think that the superintendent of schools can get them available for every member of the committee.

Chairman POWELL. We have one ourselves, and we will use the one we have. Thank you.

Mr. HAUSER. Now, some reference was made to the fact that in Chicago all of the teachers are qualified and certificated. In one sense this is true, Mr. Chairman, but the superintendent of schools might have pointed out that if you consider the elementary schools that are white as I have defined them, and in the better neighborhoods as measured by the educational status of the people who live in the neighborhood, in only 5 percent of these white schools were there teachers holding temporary appointments to the schools; whereas, in contrast, with that 5 percent, the percentage of teachers holding temporary appointments were 41 percent, more than 8 times as high in the Negro schools with neighborhoods of lower education status.

The superintendent of schools might have pointed out that if you consider teachers with 5 or more years of experience, and these numbers are also contained in the appendix to this report, in the white schools, in the high-education status neighborhoods, 88 percent, and in medium-education status 90 percent of the teachers had 4 or more years of experience. In contrast with that 90 and 88 percent, in the Negro schools of low-education status neighborhoods, only 28 percent of the teachers had 5 years or more of experience.

The superintendent of schools might have pointed out with respect to teachers with master's degrees or better, an indication of what training the teachers had, that in the white schools, in the better neighborhoods, 28 percent of the teachers had master's degrees; and only about one-third of that percentage, 10 percent, was to be found in the Negro schools in low-education status neighborhoods.

In fact, Mr. Chairman, may I say that after hearing the presentation of the superintendent of schools, it might occur to you as well as to your colleagues on the committee to wonder why 10,000 to 20,000 people demonstrated in the streets of the city of Chicago yesterday about the problem of de facto segregation and the quality of Chicago's education. It must occur to you to wonder how come, after hearing this glowing report of progress in the Chicago schools, that the city of Chicago is literally torn in two over not only this issue but the superintendent of schools himself. I regret to bring personalities into this situation, but you cannot discuss the situation of the Chicago schools without discussing the general superintendent, who has become himself a major bone of contention and a major element of controversy.

I was about to go down some of the other points, because I think the committee is entitled to the facts of the situation, that did not come out in your questioning of the superintendent of schools. The superintendent also made reference to his participation in the program designed to improve education for the children of culturally deprived background, and made reference to the Ford Foundation grant and the Ford Foundation studies.

You might, when the superintendent returns, ask him why it is that, certainly up until a few months ago, no report has ever appeared on what happened on that project in the city of Chicago.

Chairman POWELL. No report has appeared as regards the $4,500,000 of the Ford Foundation report?

Mr. HAUSER. That portion to be spent in the city of Chicago; yes. And why it is the Ford Foundation threatened to withdraw the funds a year or so ago, as was indicated in the public press. I think that the committee might be interested in his answer to that question.

Chairman POWELL. We will so inquire of Dr. Willis when he returns.

Mr. HAUSER. I was astonished to hear the superintendent and his colleagues refer to the "cluster" plan and the one experiment with it, three Chicago high schools on the South Side, as if this were their achievement toward integration. I was astonished because this one experiment was done over the bitter protest of the superintendent of schools.

Although I don't have time to elaborate on this, I might refer you to firsthand experiences of representatives of SECO—the Southeastern Community Organization of Chicago. The superintendent's associates in every respect sabotaged this plan and have now virtually killed it with the new proposal they have for the South Shore High School which, in effect, may maintain segregation in that part of the city of Chicago.

It is astonishing to me that in an appearance before this committee that is attempting to get at the facts, that the superintendent should take credit for something that was literally forced down his throat, and as a matter of fact has been, as I repeat, sabotaged. The facts on this are quite clear.

Chairman POWELL. It is amazing to me, Dr. Hauser, that he would even go so far as to boast that 102 pupils of the elementary schools have been affected by the plan. How many pupils are there in the city of Chicago?

Mr. HAUSER. There were 290,000 in the elementary schools in 1964. Well, the superintendent of schools might have pointed out, and he didn't, and this presumably is a hearing on de facto segregation, that 90 percent of all of the pupils in Chicago's elementary school, 90 percent of all of the Negro pupils, are in all-Negro schools or schools having fewer than 10 percent whites.

It seems to me, Mr. Chairman, this was an astonishing oversight on the part of the superintendent of schools in a hearing on de facto segregation.

He might also have pointed out that 84 percent of all of the children in Chicago's public schools, in the elementary schools and high schools combined, are in all-Negro schools or schools having fewer than 10 percent white children.

Reference was made, incidentally, Mr. Chairman, in response to your question about what had happened about the proposal, one of the recommendations of the so-called Hauser report, to pay transportation for children who might be bused not to achieve integration, mind you, but to effect optimal utilization of school space. I want to stress that, because the segregationists in Chicago have distorted the recommendations of the Panel by claiming that we have recommended busing of students to achieve integration. This is not true. It is either deliberate distortion or an indication of how bad Chicago's public education has been, because adults can't read and understand the report.

What we did recommend was that in those cases where schools were much overcrowded, and these are both Negro and white schools, that children, white or Negro, be bused to the nearest underutilized school, white or Negro, to achieve optimum utilization of the school plant. Under such circumstances, the poor children should be given free transportation by the board of education, because this would be for the benefit of the board.

Now, the superintendent of schools, you might question him about that when he returns, did mention that this was discussed by the board of education and turned down. Mr. Chairman, I feel that you and your colleagues are entitled to know that this proposal was turned down by the Chicago Board of Education on recommendation of the superintendent of schools who was here and didn't tell you that.

I should like to point out that in connection with the administrative actions which the superintendent is contemplating, in increasing the number of district superintendents, that this would divide the city of Chicago into perhaps twice as many districts, and it might actually freeze into being such segregated patterns that now exist. It would be lamentable if such a reorganization of the Chicago schools were permitted, particularly by a lameduck superintendent—as you know, his contract has been renewed with an under-the-table deal which may be illegal, and I will have more to say about that in a moment. I would submit that it would be just one of the most, shall I say, overt forms of civil disobedience that you might see.

Now, I would like to leave these questions, if I may, Mr. Chairman, and make what is in essence a summary of my opening statement, which is before you.

I must confess, first of all, that I am a Johnny-come-lately. I had nothing to do with the Chicago public schools and knew literally nothing about them except I was a graduate of Chicago elementary schools and a graduate of high school before the present superintendent's time. I did manage to get to a university and I have been teaching at the University of Chicago for many years.

I was literally dragged into this situation by the superintendent of schools himself, who, on a long-distance telephone call, when I was on the west coast, insisted that I become a member of the Advisory Panel set up by the plantiffs and the board of education, the defendants, in a Federal court case in which the plaintiffs alleged de facto segregation and inferior quality of education for the Negro children.

I was dragged into this, and I must say I was horrified by what I found. I have found myself in the center of controversy ever since from which, Mr. Chairman, I don't mind saying as a human being I wish I could extricate myself, but it has not been possible. I think the main things found by the Panel——

Chairman POWELL. What time do you have to leave?

Mr. HAUSER. I don't have to leave here until 1 o'clock.

Chairman POWELL. That is 1 o'clock today. We have to stop soon under the rules of the House.

Mr. HAUSER. I can summarize what I have to say in 20 minutes.

Chairman POWELL. Do you mind if members of the committee interrupt you as I have?

Mr. HAUSER. Any time. I am not handicapped either by a manuscript or by a lot of assistant and associate superintendents.

Mrs. MINK. Since we do not have an opportunity to prevail upon you this afternoon, I do have one question which I want to explore with you.

My main interest in this whole area of de facto segregation is the matter of the inferior quality of instruction that inevitably results from any type of segregated educational system.

Now, you have pointed out some very interesting facts which we were not able to get from the earlier witness, which I think need to be amplified even further.

For instance, the teacher-pupil ratio figures which you gave, to wit, that 12 percent of the white schools had 35 and more students, whereas in the Negro schools, 40 percent had more than 35 students. Could you tell us what percentage of the white schools had less than 32 students as compared to the percentage in the Negro schools which had less than 32 students, since 32 is the average teacher-pupil figure which has been presented to this committee?

Mr. HAUSER. The actual facts as presented in this appendix to this document are based on information made available by the board of education, of course, to the advisory panel. I regret I can't answer your question because of the class intervals which they made available to us. I may say the difficulty this committee has experienced in getting statistics from Dr. Willis is not unique. The Chicago's Board of Education has been trying this for 12 years without too much success themselves. And I am not just sputtering, I refer you to the public records. But if you take the schools with under 30 children per room there are 46 percent of the white schools that have fewer than 30 students, as compared with 15 percent of the Negro schools. That is 46 percent versus 15, at the breaking point 30.

Mrs. MINK. Are we talking about the elementary schools?

Mr. HAUSER. Yes, the elementary schools. This is ratio now of pupils per usable classroom in the school. Now actually some statistics you may get from the superintendent are averages based not only on the classroom teachers but, also, the counselors and other personnel. We have been playing a game of button, button, who has the button with statistics for years, Mr. Chairman. But if you talk about how many pupils there are and how many usable classrooms, 17 percent of the white schools have fewer than 25 children per room. And that was only true of 3 percent of the Negro schools.

In fact, I don't have time to elaborate on the findings, but there can be no question that schools in Chicago are not only segregated, education for Negro children is not only separate, it is unequal. It is inferior.

Mrs. MINK. Could I pursue that point without going into the details or the percentages. Is this the same type of percentages that you found in the ratio of the counselors and the noninstructional staff? Was this kind of percentage also true?

Mr. HAUSER. We don't have in our report any figures on that. We did not obtain them from the board of education. But obviously the Negro schools have more such personnel, because of the higher ratios of the children per room.

Mrs. MINK. What about the library facilities? Did your report go into the adequacies of libraries?

Mr. HAUSER. There is not too much difference. Except there the figures are illusory, because the turnover rates are so much higher in the Negro schools it takes a much larger volume of books, to have the same ratio of books per pupil during a semester.

Mrs. MINK. In your teacher certification, where you said 41 percent of the teachers in the Negro schools were temporary appointments, to what do you attribute this? Is this a policy of the board of education or is this a happenstance situation or what? Or did this come about as a result of a rule or regulation?

Mr. HAUSER. This is attributable to the following circumstances. First, under the Illinois statutes, teachers have seniority rights with respect to selecting their schools. Second, the system has grown up in Chicago public school system, and may I say this is true elsewhere, that gives the teachers with seniority the right to select their schools. As a result, Mr. Chairman, from the standpoint of the legislative function of this committee, I would like to stress this thing, because it has a generic implication beyond our situation in Chicago. We couldn't devise a more crazy quilt way of trying to educate our children if we tried. Because consider what we do for the children that are in the most privileged neighborhoods in our suburbs, with apparently highly educated parents and books, and magazines, and trips to Europe. We spend twice as much per capita on those children in public schools as we do on the city child, white or Negro. Then we get into the Negro situation, and what happens? Again you couldn't do this any worse if you deliberately set out to do a stupid thing. It is teachers with the most training and the most experience under our present system, that are put into the communities which need them the least. The children with the underprivileged backgrounds, by reason of an incrustation of procedures, to which the incumbent superintendent of schools has been party without protest for at least 12 years—these teachers in the schools which have the most severe problems, are mostly the novices that have just completed their own training. They have no experience, and they take the only job that they can get, as they enter the system.

I think this is something which presumably, if we can't muster enough local intelligence and local morality, the Congress of the United States might want to help control.

Chairman **Powell.** Mr. Pucinski is from Chicago, and in executive session yesterday, he brought up the idea which the staff is working on, that we provide a bonus, a Federal bonus to get teachers to go into the economically culturally deprived areas, to get paid extra with Federal funds.

Do you think well of that idea?

Mr. **Hauser.** This is a complex matter, and our report deals with it, and I would say that there should be incentives. I am certainly in favor of the principle that the better teacher ought to be attracted to where she is needed the most. But the Teachers' Union is against extra pay for working in such areas. However, it is possible by many devices, some of which we discuss in the panel report, to provide incentives to teachers so that they will go to the schools which need them the most. You can pay them for extra training for teaching in schools of this kind. You can pay them for a longer day. You can give them smaller classes. You can give them among other things teachers' aids. There are many kinds of incentives.

The one point where the superintendent of schools of Chicago did attempt to do something to straighten this out, and this was just a few weeks ago, he issued an edict to the teachers which restricted their seniority rights. He tried to use a stick instead of a carrot and he was faced with a possible teachers' strike. This is another evidence, may I say, of the administrative ineptitude of the gentleman who addressed you here today. He has become a major issue, and I stress this, he is the country's primary example, par excellence, of what Thorsten Veblen had in mind a generation ago when he talked about "trained incapacity." I think we have a generic problem here because this is also true of other school superintendents.

If I may say so, Mr. Chairman—and I hope I will get at least 5 or 10 minutes to summarize the forces with which this committee must contend, to deal with the problem of urban education, including integrated and high equality education—that education has become so important that, if I may paraphrase Clemenceau, it can no longer be entrusted to the educationists.

I am glad to see the "meddling mothers," from the "moms opposed to meddling," represented here.

May I say that I am not at all disparaging them. I have as much respect for motherhood as anybody, and I certainly am not disparaging meddling, because I think it is not only their right to meddle, but also their obligation. I think it is rather lamentable and laughable that these mothers should have so little insight and so little sense of humor, as to call themselves "moms opposed to meddling" in the schools. Fortunately, they are here to meddle, and they should be. If they weren't meddling, they would in effect be disinterested mothers and incompetent citizens. So I hope you will forgive the name they have given themselves and listen to them carefully later.

Mr. **Pucinski.** At that point, Doctor, I understand that the goals of this organization is to keep people from meddling in the school system, but they are exercising their right of course, as citizens, to try. I think the testimony of the lady will probably show that she knows as much about the school operations as any citizen, you or I, in Chicago.

Mr. Hauser. I think that is wonderful, and I am saying I am delighted they are here to meddle. When I said "meddling" now, I think one of the obligations of citizenship is to manifest interest in the schools and to take a role in connection with it. Many citizens of Chicago are doing this. Ten to twenty thousand did it on the streets of Chicago yesterday, because they feel that they have exhausted their opportunities around the conference table. I am not opposing these mothers being here. I think that they should be heard. I would like to say, though, that in respect to their great defense of the neighborhood school, you may want to look carefully into the fact that the people who are weeping the most about the neighborhood school policy, may be shedding crocodile tears, because the same organizations are opposing integration on the other fronts, especially housing.

These same organizations bitterly opposed open occupancy legislation. The sacrosanct neighborhood school has always been bypassed by affluent people who sent their children to parochial schools and to private schools. What have we done with the consolidated school system throughout this land but abandon the neighborhood school policy?

There is nothing sacred about it, and certainly nothing as sacred as getting high-quality education, and providing every child with an opportunity to stand on his own feet.

Chairman Powell. I think it is time for us to give up the concept of the neighborhood school and go for good schools. This committee since I have been the chairman, with the cooperation of the Republicans and Democrats has upped the educational commitment of the Federal Government from $450 million a year to $5.2 billion as of January 1.

Mr. Hauser. If I might have about 5 uninterrupted minutes, I am at the point where I should like to point out that in my judgment there are four major factors that account for the sad mess of Chicago's public schools. I think these are the kinds of things that may have import for possible legislation and administrative action on the Federal level.

May I say first of all, as a native of the city of Chicago and as a citizen, that I must express profound sorrow that Chicago is getting such a dismal image throughout the Nation about the segregation and poor quality of its education. I would like to point out that other public agencies of the city of Chicago are as a matter of fact going down the right road in doing all that they can with respect to integration, and providing equality of opportunity for all of our citizens, including our Negro citizens. I think that it is a mistake to feel that the picture of Chicago is that represented by our school board situation and our superintendent of school situation. This is particularly a black mark. But one ought not to confuse the reputation of the city of Chicago because of this one agency.

I am not gainsaying the importance of education. Nothing is more important. But in the field of open occupancy legislation, the city council has taken action. Our police department and welfare department and many other functions are valiantly working at the problem. We are not always right, and they have not always done the best thing, for who knows the best answers, and we are often fumbling in Chicago, as we are elsewhere. But among our public agencies in only the board of education and the superintendent of schools do we have this outrageous situation with respect to opportunities for our Negro citizens.

Now the four factors that I think are responsible for it are these: If you ask the question of culpability, the board of education and the superintendent of schools didn't create this. They are neither bright enough nor powerful enough to have done it. This is the product of the normal settlement patterns, the product of housing segregation and the neighborhood school policy. The board of education and the superintendent of schools—and I am going to point to two other culprits—are responsible, however, and are culpable in what little has been done to correct the situation they inherited.

I repeat almost nothing has been done, despite the distorted recital that you had from one of the associate superintendents of schools. Practically nothing has been done to work toward integration.

I might say, Mr. Chairman, I was delighted to hear the beautiful phrases of the superintendent of schools expressed to this committee under the duress of his appearance here. This is the first time in 12 years have I heard him say anything positive in behalf of integration of the schools. This is the first time to my knowledge that he has publicly supported integration and even then he didn't say it as positively and succinctly and clearly as "I believe in the integration of the schools," anymore than he was clear and precise about retiring when he reached retirement age under the terms of the under-the-table contract that has been given him.

Now the four factors responsible for segregated and inferior education: First, culpable in the situation was the Illinois State Legislature. We hear a lot about civil disobedience these days, but, Mr. Chairman, civil disobedience in Illinois starts with the Illinois State Legislature. The statutes creating the board of education and the superintendent of schools are ill defined, the relationships between the two are so ambiguous that often unless you have a program you cannot tell who is the employer and who is the employee.

Now the Illinois State Legislature, I say, is exercising in effect, a form of civil disobedience, not only because for decades have they failed to make themselves representative of the people of the State of Illinois, but they have failed miserably in the allocation of funds for public education.

As a citizen of this State, I am ashamed to admit in public that the great State of Illinois, until the last legislative session, ranked 47th among the 50 States in effort—that is, in appropriations for public education per child of school age in relation to the wealth of the State of Illinois.

To me, gentlemen, this is a form of civil disobedience that might rank with, and perhaps outrank the civil disobedience of people who march in the streets.

I want to turn next to the board of education itself. There are conscientious members on that board—very hard working, dedicated, and intelligent members. But as a body, it is inept. The board of education which pledged itself to adopt the recommendations of this report so far as feasible, and the survey which followed it, has for a year and a half now been characterized by dynamic inactivity. It had lots of commotion, and nothing has happened, either with respect to the so-called Hauser report or the survey. I think what was involved was given away by one of the members of the board of education, the vice president of the Chicago Board of Education, who a few days ago on a CBS program said, after claiming that Chicago was more integrated in the schools than other cities, "Chicago is not yet ready for more integration in the schools."

I refer to Thomas Murray, vice president of the board of education. Thomas Murray's name now can go down in history along with Paddy Bauler, who said "Chicago ain't yet ready for reform," some years ago in connection with crime scandals; and a State legislator whose name I don't remember, who is better forgotten anyway, who just in this last session said that the State legislature isn't ready for reform.

I want to turn next to the superintendent of schools. You heard him here this morning. This was a session on the de facto segregation. He didn't even tell you to what extent segregation exists in the Chicago schools and the figures I gave you were for 1964. The Chicago Urban League contends segregation has grown worse since then, and a member of the board who has made an analysis of his own, says it is somewhat less. I haven't had time to go into details, but the committee can take it for granted segregation now is approximately the same as it was in 1964.

About 90 percent of our children are still in segregated elementary schools, white and Negro.

The fourth culprit I think is the apathy of part of the public itself, plus the civil disobedience of our segregationists and white supremacists.

The superintendent of schools in Chicago, Mr. Chairman, has become a symbol of segregation, not only to his detractors, of whom I am obviously one. I have become biased in the year and a half since I have been dragged in the situation, and I admit this.

I think Chicago is paying a fearful price for his continued presence. Not only have his detractors come to regard him as a symbol of segregation but he has also become a symbol of segregation to his ardent supporters. I received mail after the board of education reappointed him for 16 months with this under-the-table agreement that proclaimed his reappointment as a victory for white supremacists.

Those are the four forces at which you must look. I think there is no problem that is more serious in our contemporary life, because I think that the United States basic tenets as a democracy are at stake. Unless we can find a way to provide an adequate education for our newest newcomers to metropolitan United States, who are predominantly now the Negro, after three and a half centuries on this continent, we face the prospect of a caste system and of the undermining and the destruction of what has been our two major contributions to the history of man, namely, the demonstration of an open society and the demonstration that we can achieve unity out of diversity.

Chairman POWELL. What do you suggest for all big northern cities? What do you suggest as a method of changing this sorry picture?

Mr. HAUSER. I have these types of proposals in mind. I think the mere fact that this committee astutely is holding hearings on this subject, may in itself have a beneficial effect to make people reexamine their souls.

Chairman **Powell**. The first time that he has made the statement that he is in favor of integration, for the first time in 12 years, is something.

Mr. **Hauser**. The committee should be congratulated. It is the first time that I have heard Dr. Willis say anything in 12 years, in favor of integration, and I would say it is long overdue.

Second, I would think that since the Federal Government is now squarely in the field of public education, and may I say by the same reason, the civil disobedience of State legislatures that have not represented the cities. They have ignored cities and forced mayors to go to the Federal Government hat in hand.

Chairman **Powell**. We have that same problem in New York City.

Mr. **Hauser**. That is true of welfare and housing and now education. There is one thing that the Federal Government can do, is put a little backbone into the boards of education and a little backbone into the superintendents of schools, instead of forcing local people with demonstrations in the streets to push them into programs and policies into which they as professionals should be presumably leading their people. I think if we can't muster enough local intelligence and morality, the Congress of the United States and administrators in the Federal Government ought to do the thing which has always worked—no program, no money.

Chairman **Powell**. That was my policy in 1954, which is now the law of the land, of withholding Federal funds where there is segregation. I offered this amendment in 1954 on the suggestion of Thurgood Marshall, who is now Solicitor General, or will be when he is confirmed, and was opposed by many of the great white liberals. Even those on the board of the NAACP opposed it publicly but it is now the law. And that law applies not to the South, but to the 50 States of this Union—that where there is segregation, Federal funds shall be withheld.

It is my purpose, personally, to pursue this as far as I can, and I think this is a weapon that we can use in New York, Chicago, Los Angeles, and everywhere.

Mr. **Hauser**. I am reluctant to see this happen for obvious reasons, but this may be what is necessary to educate boards of education.

Chairman **Powell**. Five billion dollars a year is at stake.

Mr. **Hauser**. May I suggest another thing that I think is of major importance. We have heard much about compensatory education, and I think compensatory education is certainly necessary. I might say again there, the great State of Illinois, whose miserable legislature just refused to appropriate funds for compensatory education, in the session just closed doesn't represent people of Illinois, and I would hope the new legislature will in 2 years do better. But just as we need compensatory legislation to make up for the deprivation of people who have been impoverished and who have been denied their full rights of American citizenship and opportunity, Mr. Chairman, I would like to submit that we need a massive program of corrective education—that is, corrective education in order to get the dominant white society rid of the outmoded, distorted images and stereotypes of the American Negro. I think the problem at this point is we need a massive program and probably at least as much money for corrective education as we do for compensatory education, because our white citizenry in many points are just brainwashed into beliefs that are just witch's myths.

Chairman POWELL. Myth.

Mr. PUCINSKI. Do you not think that this very thing is already happening in many ways, as economic opportunities open up, and as the Federal Employment Practices Commission is beginning to operate effectively in the State, and as more and more people like Thurgood Marshall assume high positions of responsibility, and as the middle-class society increases in the Negro community as it has in all of these other communities—as all of these factors develop.

I think it is a dramatic change occurring in the communities of America. And thank God it is.

Don't you think that many of these things are going to start falling into the proper slots? This committee, for instance, has probably done more under the chairmanship of Congressman Powell, and we certainly give him credit for that, than anyone else in going along. Isn't a gap being closed?

Mr. HAUSER. I agree with you 100 percent, but when you have the vice president of the board of education saying the city isn't ready for integration yet, and when you have that kind of a vice president, you have a member of a board that needs education.

Mr. PUCINSKI. I wonder if I could ask you this question: In U.S. & World Report in this current issue it has an article "Chicago in Racial Background," and what the fight is all about and they do an analysis on the whole situation which attempts to explain the basis of this problem in Chicago. I gather from your testimony that you are not a great ardent supporter of Dr. Willis.

Mr. HAUSER. No, it is because I love the city of Chicago more than I do this man or his reputation.

Mr. PUCINSKI. I will give you a comment on this statement in the article: At the moment, the frustrations of Chicago's Negroes are being expressed in the form of militant demands for the ouster of Superintendent Willis, but Negro leaders as well as white officials have recognized that his ouster would not solve the city's racial problems.

Would you care to comment on this statement?

Chairman POWELL. I would like to say one thing, by the way. The appointment of Thurgood Marshall as Solicitor General and my position as chairman of this committee—those two things don't help the poor black men and the poor black women and their children. They are nice, very nice, and I am glad to be sitting here in the cathedral on the throne, but that does not help the poor black boy and girl of America.

Mr. HAUSER. I quite agree, Mr. Chairman. There is much talk about civil disobedience in the marches in the streets, but I think somewhere in the hearing someone ought to talk about the civil disobedience of the people in southwest Chicago who, when their schools were threatened, as they saw it, by eight Negro honor high school students going to what they regard as their high school, they practically stormed the city hall of Chicago. There are some bigots that need some education.

Chairman POWELL. And the same thing has happened in New York.

Mr. HAUSER. I agree.

Mr. PUCINSKI. Is there any merit in the statement that the ouster of Dr. Willis would not solve the city's problems?

Mr. **Hauser**. The answer to that question is that the ouster of Dr. Willis would not solve the city's racial problems, but it would represent a tremendous step forward in solving the problems on the educational front.

Mr. Willis has become a symbol of segregation, to perhaps half the population of Chicago. He is the devil of the civil rights movement. I think it is ironic that he is performing for that movement the same function that Governor Wallace did in the South. Some day they may erect a statue to him for helping the civil rights movement.

Chairman **Powell**. As a Baptist preacher, do you think that there is any way we can convert him?

Mr. **Hauser**. His own bishops have worked on him without success, and I doubt that the Baptists can do anything. He is a symbol of controversy.

Mr. **Pucinski**. I think that there is no question, in your report and the studies that you have made, and of course you have a very illustrious record in the educational field, and I think that we all have a high regard and respect for you. I think, Doctor, that I would be perhaps more persuaded and impressed with your suggestions and testimony if I didn't see interwoven throughout this testimony, a somewhat personal bitterness toward Mr. Willis.

Now I would like to ask you, what is your comment on the statement made by Dr. Lewis, and I trust you have no quarrel with Dr. Lewis, and I certainly trust that you do not question either her sincerity or integrity.

Mr. **Hauser**. Not at all.

Mr. **Pucinski**. She was the assistant superintendent.

Chairman **Powell**. The lady who couldn't define segregation. We have a Democratic alderman from Chicago, Mr. Charles Chew from the 17th ward, and if you you want to get into this little festival, you can. The hearings are over, and we are just having a family conference.

Mr. **Pucinski**. I would like to ask this question: Now, before you reply, if I recall what the lady said, it was that segregation was a relative thing, and in Chicago the fact that 10 percent of the youngsters in a school were white, was according to her standards an insufficient number to say that that particular school was integrated. She called it segregated. Now that is why she hedged when the question was asked, what in your opinion is integration.

But I would like to ask you, what is your appraisal of her statement that when they build a school fully expecting to have at least 15 percent white children in that school, in the 2 years of construction the changing neighborhood reduced their expectations to 3 percent.

Now, is this a valid problem in peripheral areas of Chicago, New York, and Los Angeles, or any other city, in terms of dealing with this question of de facto segregation. I agree with you, this is not a problem confined only to Chicago, this is a problem that confronts every single community in America.

What is your reaction to the analysis that Dr. Lewis gave in this one instance?

Mr. **Hauser**. I would be very pleased to answer that, and also why I have displayed my personal bias. I can assure you, as you well know, Mr. Congressman, that Dr. Willis as a personality has become one of the major, if not the major, issues of the Chicago school mess. You can't avoid his personality in this situation. This isn't a place for me to indicate the basis I have for this, but the committee may decide for itself something about his personality before ~~it is~~ through.

On this question, I can't disagree with Mrs. Lewis' position on integration. As a matter of fact, she was wise enough to pick the cutting point that the advisory panel used in its report. All she did was refer to the report. Of course, I can't disagree with her for agreeing with it. So far as the broad question is concerned, let me say this, and I think this is an area again where the Congress of the United States may want to do some thinking. In my judgment one reason for the exodus of the whites—and they have fled the Chicago public schools, and they have fled the city—is the lack of backbone and leadership in the board of education and the superintendent of schools, in failing to recognize that the school is an integral part of consolidating and establishing a neighborhood.

You will find a discussion of this in the so-called 4-walls policy of Dr. Willis, in the Havighurst survey, copies of which should be made available to this committee.

Chairman Powell. We have it.

Mr. Hauser. And there is another book, "The School Board Crisis" written by Dr. Poris, who was a member of the Chicago Board of Education.

Chairman Powell. We have that also.

Mr. Hauser. Dr. Willis is one of the reasons for the exodus of the whites, because he has kept the schools isolated from the rest of the city urban renewal and other functions.

Mr. Congressman, you may know that I served as a consultant to the department of urban renewal and city planning, and in meetings that these officials had with the superintendent of schools, in efforts to work out comprehensive programs for stabilizing neighborhoods, this man refused to cooperate.

Mr. Pucinski. This is why I suggest that we have, I think here before this committee, an excellent opportunity to really zero in and focus on this problem which is a nationwide problem affecting millions of children. It would be my hope that these hearings can be conducted without referring to the personalities of the problem, but referring to the problem itself. There must be solutions. I am sure that this Congress will be able to provide some guidelines if we can get the facts without having them perhaps prejudiced by any personal animosity.

For that reason I have no grief for Dr. Willis. I have certainly criticized him as much as anyone else, but what I am trying to find out is what are the problems and is there an area where this Congress can provide some guidelines for either eliminating or minimizing these problems. It would be my hope that it would be within the sort of spirit that these hearings can be conducted.

Mr. Hauser. Mr. Congressman, I would be delighted if there were time. There isn't time.

Mr. Pucinski. In another few months Dr. Willis is not going to be there. Now Chicago is the first of a series of cities that we are going to look at, and I hope when we are all through, we can come up with some guidelines.

Mr. **Hauser.** Let me suggest one other question that you might want to ask the superintendent when he comes back, and this is in response to the kind of facts that you are talking about, Congressman. To my mind one of the saddest commentaries in public education in the city of Chicago and other systems, you might ask this of the general superintendent of schools—what does he do about the fact that his principals instruct their teachers, 90 to 95 percent or higher percentages, of all pupils of a given semester, must be promoted without regard to achievement.

Chairman **Powell.** This is a fundamental fact, and this is done to conserve funds, and there was never a better form.

Mr. **Pucinski.** That is what I call the pushout rather than the dropout.

Mr. **Hauser.** My written statement points out this is the way the board of education and the superintendent of schools pass the buck to welfare and police departments.

Mr. **Pucinski.** Tell me this: What are the policies of the other cities of America, on that problem?

Chairman **Powell.** Probably about the same.

Mr. **Pucinski.** Why do you single out this one problem?

Mr. **Hauser.** I am here to talk about Chicago, but I am saying it is a national problem and that is why I am directing it to your attention. He has been superintendent of schools for 12 years and what has he done about it for 12 years? He is supposed to be a leader in education.

Incidentally, his name does not appear on the list of invitees to the White House Conference on Education, invitees who were discussing the future of education. He is a representative of the status quo.

Mr. **Pucinski.** I think the record will show, Doctor, there were several superintendents who had been inadvertently overlooked and they were here.

Mr. **Hauser.** In this case, I happen to know his name was not on the final list of invited persons.

Chairman **Powell.** It wasn't inadvertently overlooked, Mr. Pucinski.

Alderman Chew, of Chicago, the 17th ward, and this is a little family conference.

Alderman **Chew.** I would like to answer the Congressman's question.

First of all, I would like to say that the Congressman said on a television program that he was trying to persuade your committee from holding hearings in Chicago. I would like to ask the Congressman why.

Mr. **Pucinski.** I think the answer is very, very simple, and I think the very productive information that we have received here this morning, from both Dr. Hauser, and Dr. Willis, and we hope to get from Mr. Raby and Mrs. Bosky and Mr. Harth and all of the other witnesses that are going to be here—I think that this committee room presents a much better opportunity to present their facts.

Chairman **Powell.** I would like to say to the alderman that no one can dissuade Adam Powell from doing anything, except God.

Alderman **Chew.** I understand that, and I am very appreciative, but I think it is the kind of attitude which the Congressman is displaying here, which has caused the Chicago schools to be as segregated as they are, because I don't believe the Congressman has ever said anything, and I could be wrong, and if I am you can correct me now, in favor of integration.

Of course you said that you have criticized the superintendent and can you give me one instance where you have criticized the superintendent?

Mr. PUCINSKI. Alderman Chew, I will put my record of defense for civil rights over the years that I have been both in politics and out of politics, against your record or any other person that you want to name. That record will be very, very favorable.

Chairman POWELL. In all fairness, I would like to say that Congressman Pucinski has always voted solidly in executive session of the subcommittee, and on the floor, in favor of civil rights.

Alderman CHEW. I congratulate you on that. I have one other observation that I want to make, speaking of Dr. Lewis, and I have a great deal of respect for her, but when you are employed by a body, you are almost confined to answer questions as you are told. Being a member of the superintendent's staff, you naturally expect any member to defend his attitude. Not hearing her testimony, I assume that she defended Dr. Willis, and Willis-ism, as I like to refer to it.

Mr. PUCINSKI. I didn't get the impression Dr. Lewis was trying to defend Dr. Willis. I got the impression she was trying to convey to this committee the seriousness of the problems that they are confronted with, and how deep this problem is. She tried to make an honest effort over here to show us that even the best of planning goes astray because of factors over which she and the board of education don't necessarily have control. I did not get the feeling, though, that she was here to try to front for Willis or trying to defend his position. The record should show that in fairness to Dr. Willis.

Alderman CHEW. I didn't hear her testimony. However, I am under the impression that Dr. Willis was invited over to these hearings.

Can you tell me how many of his associate superintendents were invited along with him?

Chairman POWELL. I only invited Dr. Willis. He brought along the chosen few.

Mr. HAUSER. I counted six or seven.

Alderman CHEW. The other question is, Who is paying the expenses of these people?

Chairman POWELL. I know I am not paying them. I am paying the other witnesses, though.

Alderman CHEW. Those of us who came here, came at our own expense, and of course this is another example.

Chairman POWELL. Do you want a roundtrip ticket and per diem?

Alderman CHEW. No, we came prepared; but the point I am trying to bring out is that you would assume Dr. Willis would bring only a secretary, and I believe we have more members here from the schools of Chicago.

Mr. PUCINSKI. Will you yield to that again? I think as we sit here in the committee it is not uncommon for a witness to bring with him staff members to answer questions. The other day we were holding hearings on minimum wage before my other committee, and the president of the Ford Motor Co. came here with 27 assistants, to answer whatever questions we might have.

Alderman CHEW. We are talking about taxpayers' money now.

Mr. PUCINSKI. I can tell you that was taxpayers' money, because they write those things off as legitimate business expenses.

Alderman CHEW. But that is still not taxpayers' money; you know that as well as I do. I am talking about who is paying the expenses of these people to come to Washington to testify here.

Mr. HAUSER. I did want to make one observation about Mrs. Lewis, to whom the Congressman referred previously. I am delighted to see Dr. Willis was astute enough to surround himself with three Negro executives. I think this coloration literally is fine. The committee might ask him how long these Negroes have been executives, and the committee might also ask him why it was not until 4 years ago that the Negroes, presumably through some genetic mutation—he has been superintendent for 12 years—got good enough to achieve this kind of office. The committee might even ask for an answer to that.

Mr. PUCINSKI. Wouldn't you say this is perhaps part of the revolution that is now going on? The days have come to an end when Negroes were discriminated and ignored. They are making great progress in every single field of our social endeavor.

Mr. HAUSER. I couldn't agree with you more, and the more heat you put on the superintendent of schools, the more this revolution will progress.

Mr. PUCINSKI. I have no disagreement with that.

Mr. HAUSER. I want to apologize to the committee, if in any way my personal feelings toward Mr. Willis, whom I regard as the bottleneck in clearing up of Chicago's educational mess, obscure the facts set forth in the Panel report or the statement which I have made, including my summary of the report which is in the record. I have not been able to read all of my statement in the interest of time. I simply want to close by saying that I am very heartened to see this committee jump into this very crucial problem, and hope that we can look forward to some action.

Chairman POWELL. I will conclude the hearings but I am going to conclude the family conference by two or three questions.

One, who appointed you and your group to make the study?

Mr. HAUSER. The board of education of the city of Chicago, but by agreement under an out-of-court settlement in the Federal courts.

Chairman POWELL. You were appointed by the board of education?

Mr. HAUSER. With the consent of the plaintiffs and the defendants.

Chairman POWELL. No. 2, how many recommendations did you make in your report?

Mr. HAUSER. We made 13 recommendations, each of which had a number of points.

Chairman POWELL. Thirteen is an unlucky number.

Mr. HAUSER. Not if you are not superstitious.

Chairman POWELL. No. 3, how many of the recommendations that you made have been accepted and implemented?

Mr. HAUSER. Parts of 2 of the 13, and part, aborted, of 1 additional one. So there is some fractions of three of them. And all of them over the dead body of the superintendent of schools.

Chairman POWELL. Thank you.

Mr. PUCINSKI. I think you have certainly made a great contribution here as I am sure all of the witnesses will. It would certainly be my hope that when these hearings are concluded, all of these people will sit down. I think the young children of Chicago, or the young children of any community, should not be made a part in these differences. So I do hope that when this is over, you people will all sit down and work something out.

I have found in this committee and throughout my political career, that reasonable men can always come up with reasonable solutions.

Mr. HAUSER. Thank you.

Chairman POWELL. We are very happy to have you.

(Whereupon, at 12 o'clock the committee was recessed, to be reconvened at 5 p.m., the same day.)

AFTERNOON SESSION

Chairman POWELL. The committee will come to order.

At this point, without objection we will include in the record the statement by the Chicago Urban League.

Without objection, it is so ordered.

(The statement follows:)

STATEMENT BY MRS. JUNEROUS COOK, CHICAGO URBAN LEAGUE RESEARCH SPECIALIST

Gentlemen, thank you for asking the Chicago Urban League to submit expert testimony on the problems of public school segregation in the city of Chicago.

WHAT IS THE URBAN LEAGUE?

The Urban League is the oldest interracial, interfaith social work organization in the Nation. The Urban League movement is national in scope with headquarter offices in New York City. The National Urban League has affiliates in 69 American cities. We have just completed our 54th year of National Urban League operations.

The Chicago Urban League is a voluntary, not-for-profit agency supported by contributions from the Community Fund and interested individuals and organizations. We have provided 49 years of specialized leadership and experience in helping to make Metropolitan Chicago a better place for all, through the improvement of race relations.

The Urban League method is fivefold: (1) factfinding; (2) community organization; (3) community education; (4) negotiation; and (5) interracial cooperation. The work of the league is centered in the areas of social research; developing employment opportunities; stimulating sound guidance of youth; securing equal opportunity in housing, education, and health and welfare facilities.

While the League's efforts are focused on advancement of the welfare of the Negro and other minorities, the best interests of the total Chicago community are always of major concern. It is within this framework that this testimony is offered.

INTRODUCTION

The system of public education in the city of Chicago is being operated in direct violation of Illinois State law, the 1954 *Public School Education* decision of the U.S. Supreme Court, and of the spirit of the 1964 Civil Rights Act. The Chicago Urban League urges you to consider purposefully the information presented herein, and then to exert all the powers of your committee to help assure equal, quality educational opportunity for all children in Chicago. Although the thousands of Negro pupils in our public school system are the most disadvantaged, every pupil suffers. The present enormous cost of past inequities in public education in Chicago, in terms of human misery and welfare dollars, will seem infinitesimal in the coming years if the present situation is allowed to continue.

For the past 4 years, public school segregation in Chicago has been one of the major foci of Chicago Urban League program and research. Our research studies and analyses on school segregation, pupil segregation, vacant classrooms, Negro-white differentials in school budgets, administrative actions of the general superintendent, and policy decisions of the board of education have been the muscle of Chicago civil rights activities aimed at equal, quality educational opportunity. In addition, we have presented expert testimony before official bodies, including the board of education and the Illinois Legislature; worked with community groups, parent groups, the local and national press, and individuals in clarifying the problems related to the schools, and provided a number of other community organization and community education services. Our negotiations with the board of education and with the power structure in order to gain their support have been endless.

Since 1961, all civil rights organizations in Chicago have devoted full- or part-time efforts to study of and/or action toward elimination of segregation in our public schools and implementation of an improved educational program. Up to now, the Chicago Board of Education and the general superintendent have not made one meaningful concession to the Negro community in regard to these goals. The board's refusal to respond in any meaningful manner on these problems and its displayed inability to exercise its proper authority over the general superintendent in matters of school policy have been very frustrating to the Negro community. As a result, all the hostilities generated by the entire system of Jim Crow have been focused on the Chicago school system. Further, because the city administration has also abdicated positive leadership toward solving the schools problems, in many white communities certain groups have taken this as license for vocal and militant racism. Directly and indirectly, these groups exert political influence in support of the racial status quo in the schools.

Daily marches on city hall and demonstrations against the mayor, the school board, and the general superintendent have taken place since May 27 of this year. On that day, the school board renewed the contract of Dr. Benjamin C. Willis, general superintendent of schools. It did this act despite the fact that the Negro community and a major segment of the white community had made their opposition to it publicly known. Many Negroes had come to view Dr. Willis as Chicago's No. 1 symbol of racism; other citizens had come to view him as a disruptive force in the community and a hindrance to implementation of quality education.

Chicago's school problems have even attracted national attention. Just this weekend past, the distinguished Nobel Peace Prize winner, Dr. Martin Luther King and his dedicated assistants in the SCLC movement, came to Chicago to give moral, financial, and nonviolent demonstrative support to the schools' fight being waged in our city.

The general issue of improper leadership on the part of the city administration, the school board, and the general superintendent have thus served as the instrument for generating a sustained civic concern such as never existed before in Chicago. The problem of racially segregated and second-class schools is now the No. 1 public issue here.

There is no doubt that quality, integrated education is basic to other areas of life, Whether we are dealing with employment, family stability, residential integration, welfare dependency, or interracial understanding. For, even in those instances where there is a loweringn of the external constraints of discrimination, Negroes are still often hampered by the internal constraint of poor education. The entire community suffers when some of its citizens are denied the opportunity to contribute meaningfully to its welfare.

PUBLIC SCHOOL SEGREGATION IN CHICAGO

In 1865, the Chicago ordinance requiring that Negro and mulatto children attend schools separate from those attended by white children was repealed. Since that time, public school segregation in Chicago has been maintained partially because of residential segregation, but primarily by boards of education which have, for various reasons, refused to implement an integrated school system.

The history of Chicago Boards of Education collectively has been one of establishment of/and strict adherence to the neighborhood school policy, collusion with the Chicago Real Estate Board to maintain segregated residential areas and segregated schools, gerrymandering of school district boundaries to coincide with areas of Negro and white residence, discriminatory school building programs, discriminatory assignment of teaching personnel, political corrup-

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tion,[1] discriminatory administrative treatment of Negro and white pupils, hostility toward community criticism, steadfast refusal to acknowledge any prime responsibility to desegregate the schools, acquiescence to the demands of racists, and most recently, domination by a general superintendent who is a divisive force in the community and who attempts to make school policy rather than administer it.

Since World War I, the Negro population of Chicago has expanded at a rapid rate. The increase in the Negro population base has been reflected in the increasing proportions which Negro pupils constitute of the public school population. Concurrent with this increase in public school population, there has been an increasing intensity of school segregation. In 1920, only one-third to one-half of the Negro pupils in Chicago attended Negro-segregated elementary schools, compared to 9 out of 10 today. In 1930, school segregation increased and the problem of school overcrowding affected white and Negro schools equally. But by 1940, the crowding problem was predominately a Negro school problem. Thirteen of fifteen double-shift schools were Negro-segregated schools located in Negro neighborhoods.

Today, Negro pupils constitute 48.8 percent of the public school enrollment and overwhelmingly attend Negro-segregated schools. Within the past year, the number of segregated schools increased and so did Negro-white pupil segregation. A smaller proportion of Negro and white children were attending public schools together than did so last term, and perhaps, than ever before in the history of Chicago.

In May of this year, the Chicago Urban League research staff did an extensive study on pupil segregation and school segregation in the Chicago public school system. This study was based on two student racial headcount reports published by the Chicago Board of Education. One racial survey was taken in October 1963; the other was taken in October 1964. We found that of 483 public schools, 394 are segregated. (This figure does not include branch schools.) The overwhelming majority of these schools are white-segregated schools, particularly at the elementary level where Negro pupils outnumber white pupils.

Upper-grade centers and branch schools, almost all of which have been established in recent years, are more segregated than the regular elementary schools. By this is meant that the current administration of the Chicago school system has increased the extent of segregation over that of its predecessors.

Schools with all-Negro student populations (100 percent) increased this school term by 20.5 percent. The number of integrated schools decreased and so did the number of pupils attending them. Some integration did take place between white pupils and nonwhite pupils other than Negroes. But, even this was so insignificant as to have had no effect on integration systemwide. The number of Negro pupils in integrated elementary schools decreased this term from 11.9 to 10.5 percent of all Negro pupils; the number in integrated high schools also decreased—from 35.4 percent last term to 30.3 percent this term. In Chicago today, 85.6 percent of all Negro pupils are in Negro-segregated schools and 78 percent of all white pupils are in white-segregated schools.

We found also that the net overall loss of white pupils from the public school system this term was only 662. At the elementary level, white enrollment actually increased slightly. This fact diminishes the oft heard argument that white pupils are leaving the public school system en masse, thus making the implementation of an integrated school system an unrealistic goal.

This, then, is the situation in Chicago 2 years after the Illinois Legislature passed the Armstrong law. In earlier sessions of the legislature, both the board of education and the general superintendent had publicly campaigned against passage of this bill. The Armstrong law clearly directs Illinois public school boards to draw attendance areas so as to prevent school segregation. Instead of decreasing segregation, the board proceeded to increase it. Nor has the board done anything about the recommendations which the Hauser panel asked it to implement in order to eliminate pupil and teacher segregation in the schools.

Two years ago the Chicago Board of Education asked a panel of educational experts from across the country to study segregation in the Chicago schools and to make recommendations for eliminating whatever problems were found. This panel of experts (popularly called the Hauser panel because Dr. Philip M. Hauser of the University of Chicago was its chairman) made its report to the board of education on March 31, 1964. It found that not only are the schools segregated, but that the quality of education in Negro-segregated schools is inferior to that offered in white-segregated schools. The criteria upon which these findings were based are clearly spelled out in the report.

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[1] See Harold Baron's "History of Chicago School Segregation to 1953" in Meyer Weinberg (ed.), "Learning Together" (Chicago, 1964).

Among the panel's recommendations to the board of education were specific suggestions for elimination of both pupil and teacher segregation in the public school system. Civil rights groups, parent-teacher groups, community organizations and important leaders in business, religion, and education have since asked repeatedly for full implementation of these integration recommendations, but to no avail.

The board has instead adopted a succession of basically meaningless recommendations often suggested by the general superintendent, generally countermanding each other in succession, and producing no remedies. This growing school segregation is due in large measure, then, to a school board that has disobeyed State law, shunned or subverted the recommendations of its own selected experts, allowed past administrative procedures that foster segregation to continue to be used, and that has failed to adopt any viable plan of its own for the promotion of integration.

THE EFFECTS OF SEGREGATED EDUCATION

The educational institution in our society is second only to the family in responsibility for the socialization of children. It buttresses and builds upon familiar efforts in the transmission of our cultural and social traditions and values. It is apparent that, having up to now been primarily racially segregated, the American educational institution has produced cultural and social effects which are harmful in both a psychological and pedagogic sense. The result has been the same whether or not a particular pattern of segregation has been due to de facto or de jure causes. Both North and South, the overwhelming evidence shows social and cultural damage. Psychologically, segregated education tends to reinforce, in both Negro and white children, the most negative attitudes of our culture, and causes them to develop social values which are unrealistic. Pedagogically, it has not only entrenched existing inequalities between Negro and white citizens, but has also institutionalized new inequities.

Psychological effects of segregated education

The sociopsychological literature on personality and racial segregation is massive. Prevailing expert opinion and research findings regarding segregated education agree that separation of pupils because of race has serious ramifications for our society. The personalities of each generation to whom we must leave for fulfillment of our "American dream" are damaged almost beyond repair. The development in pupils of the outlook and motivation necessary for a sufficient educational experience is impeded; aspiration levels, capacities to learn and abilities to relate in interpersonal situations are likewise hampered.

American children develop racial awareness as early as the preschool level. They are also quick to recognize and perceive the differential rewards accorded designated racial categories of people. Experiments with preschoolers alarmingly reveal that both Negro and white youngsters identify with Caucasian traits and show preference for being white.

It is no wonder, then, that with entry into and progression through formal education processes which in themselves reinforce what the child has already perceived from society at large, the Negro pupil develops a deep-seated, unrealistic idea that he is personally inferior, and the white child develops the equally deep-seated, unrealistic idea that he is superior. The resulting self-doubt and sense personal humiliation festered in Negro youngsters are manifested in educational performance and achievement far below the level of white children (even those of comparable socioeconomic backgrounds) and far below the level of their own capabilities. The differences in performance and achievement of Negro and white pupils, more often than not, increase with the length of schooling attained. This would indicate that, with respect to Negroes, the effects of segregation in education are cumulative.

While the effects of segregated education on white pupils are somewhat more obscure, evidence does show that they, in large measure, gain feelings of personal worth in an unrealistic and nonadaptive way. They evaluate themselves, not in terms of the more basic standards of actual personal ability and achievement, rather, in terms of mere superiority over the minority group. They often, too, develop patterns of guilt feelings, rationalizations and other mechanism which are used in an attempt to protect themselves from recognizing the essential injustices of their unrealistic fear and hatred of minority groups. Social scientists have reported further that in white children, confusion, conflict, moral cynicism and disrespect for authority may arise as a consequence of having been taught moral, religious, and democratic principles by the very institutions which then encourage them to act to the contrary. Clearly, a central task of our schools is to provide the type of educational climate that compensates for the inequities perpetrated in our society at large.

Pedagogic effects of segregated education

The American educational system has also operated primarily in a way so as to maintain racial as well as class distinctions in our society. Historically, Negro-segregated schools have consistently been saddled with educational programs inferior to those offered in white-segregated schools. Negro pupils have traditionally received a second-rate education. In Chicago, Negro pupils receive a third-rate education (that is, if they do not drop out before completion). Negro-segregated schools in Chicago have fewer experienced and certified teachers than do white-segregated schools, are more overcrowded, have fewer and inferior facilities, and are provided less additional, supportive services. Urban League research has shown conclusively that in Chicago, less money is spent on the Negro pupil than on the white pupil. Moveover, Negro pupils are graduated with far less demanding standards than white students.

One junior college in Chicago reported in 1960 that less than one-fourth of the entering Negro students had test scores that indicated they could make passing marks in a 4-year college. Another reported that one-third of the entering students, almost all of whom were Negro, had to attend remedial classes to learn to read, write, and to do simple arithmetic before embarking on the junior college curriculum. These students were graduates of Negro high schools; their median reading score was at the eighth-grade level.

A study of welfare recipients in a selected Negro residential area in Chicago revealed that of those who had been educated in Cook County,[2] and who had completed 8 years or more of schooling, 29 percent tested as functionally illiterate. That is, they had a fifth-grade reading level or less. Only 18 percent of the Chicago educated subjects included in the study could read at the level of the school grade they had completed.

In the Hauser report on public school segregation it was reported, for example, that in all-white schools, the average ninth-grade reading score is 12 points above the city median. In all-Negro schools, it is 27 points below the city median.

Social effects of segregated education

High unemployment rates and high dropout rates among Negroes are handmaidens of their segregated, unequal, uninspiring education experience in Chicago. Unemployment among Negroes in Chicago is three times that for whites. The irony of the situation is that the Negro is finally winning the right to get some jobs that were formerly not available to him, but, in all too many cases, he is woefully unprepared to take advantage of the opportunity. A distinguished sociologist in the Chicago metropolitan area, who has worked extensively with industry, quipped recently "Personnel managers need no longer exercise prejudicial decisions in job placements; the educational system in Chicago screens Negroes for them." For the most part, they just aren't qualified.

Negro youths comprise a disproportionate share of high school dropouts and a disproportionate share of all unemployed youths. In some Negro-segregated schools, the dropout rate is as high as 80 percent. No doubt, a major factor in the high dropout rate among Negro high school youths is that they learn early that even if they did graduate, employment discrimination will restrict their job opportunities; they may still suffer unemployment and their financial returns in any event will be less than those received by their white counterparts. However, there is little doubt that the character of education that these youths receive is of equal weight in their decision to depart school. In most cases, Chicago's public schools not only fail to make what they do teach interesting and stimulating, they fail to teach Negro pupils the basic skills required by modern day technology. When these youths enter the labor market, thus handicapped, they are unable to complete for jobs with white youths. No small wonder that their career incentives and often their motivations are destroyed, while the quest for the immediate dollar becomes the guiding force in their lives.

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[2] Ninety-seven percent of all Negroes in Cook County reside in the city of Chicago.

Residential segregation is a major cause of public school segregation when the neighborhood school policy is strictly implemented. Segregated schools, in turn, however, reinforce residential segregation. Housing segregation has persisted in Chicago since early 1900 due in large measure to the practices of the Chicago Real Estate Board and the use of restrictive covenants, despite their present unenforceability in the courts. Although Chicago now has a fair housing law. it is still one of the most residentially segregated large cities in the United States. In terms of racial change, the experience in Chicago has been that, partially due to the high birth rates in the Negro population, and partially due to the contiguous block-by-block expansion of the Negro ghetto, particular schools become segregated before the neighborhood in which they are located do. For example, by the time the population of a neighborhood has changed from white to about 60 percent Negro, its school is approximately 90 percent Negro.

Over the past 10 years, the board of education has followed a massive policy of building schools well within the confines of the ghetto walls. This has been a $200 million permanent investment in segregation, drawing Negro children back within the heart of the ghetto and keeping them contained there instead of locating schools where they would be integrated.

The Chicago Board of Education has not taken an affirmative position on residential integration. Nor does it have a positive program for maintaining racial balance in the schools once racial transition has begun. In addition, the administration of the schools have been such that once it is apparent that a school is likely to become predominantly Negro segregated, standards are lowered and certain services and programs are dropped. These cumulative factors undoubtedly motivate many whites to move who would not do so otherwise. The prospect of having to send their children to overcrowded, inferior, segregated schools motivates many Negro parents to want to move also. They, however, are restrained by the walls of the ghetto.

CONCLUSION

In reaction to the schools problem here in Chicago we have had research and recommendations from experts, law suits brought, endless negotiation sessions with the board of education, editorial pressure, civil disobedience, nonviolent demonstrations, civil rights rallies; three school boycotts; and statements from Negro and white business and professional leaders, distinguished university professors, and the social action agencies of practically every religious denomination. The moral leadership of Chicago's clergy has been especially inspiring. Despite all this and despite its responsibility under State law, the Chicago Board of Education has not moved toward implementation of an integrated school system and an improved educational program. Moreover, it has become increasingly hostile to all community criticism.

The Chicago community is in crisis. The city has become polarized. On the one hand is an alienated Negro community joined by liberal whites; on the other, the rest of the white, most of whom remain silent while rightwing extremists speak for them. Local passion is so rampant that few persons in positions of authority are willing to take a public stand on the moral and constitutional rightness of integrated, quality education. Even the board of education itself is divided. On every issue which comes before it, the split of opinion is predictable, and everyone waits with abated breath to see which way the so-called swing votes will sway.

Segregated education is antipathetic to implementation of the current public policy of the U.S. Government in regards to employment. elimination of poverty, housing and equal opportunity generally. Our well-being as a people greatly depends upon what happens in our schools.

The Chicago Urban League feels that there is no forthcoming solution to the problem of existent and increasing school segregation in Chicago, unless northern schools are made to conform to the public policy of our Nation. This must be done. The future of Chicago's schoolchildren is at stake. There will be no end to the boiling pot of potential racial violence in Chicago until the issues surrounding equal opportunity in education are resolved.

The outlines of our national policy are clear in regards to equal opportunity within American life. But often at the city level, a full implementation of this policy is impeded by local pressures and a polarization of the community. Therefore, we feel that action on the part of the Federal Government can be invaluable in meeting the grave educational crisis that exists in Chicago. We especially urge the following considerations:

1. Rigid adherence to what we at the Chicago Urban League call the tax-dollar concept—that no tax funds be spent in any way that is discriminatory or supports segregation. Strong enforcement of title VI in the 1964 Civil Rights Act can go a long way toward achieveing this end.

2. Administrative and legislature bodies should draw no strong distinction between de facto and de jure racial segregation, for no such strong distinction exists in our society. Both should be prohibited.

We have outlined how a statutorily constituted body, the Chicago Board of Education, has exercised its authority over a long period of time in a manner which established a segregated and inferior school system, and in a manner which reinforced other discriminatory institutions within our community. Although the board did not act under a statutory or administrative rule in creating racial discrimination and segregation, it has been so efficient that it might as well have had the explicit rule. A different set of policies on the part of the board would have created a more integrated school system and a more integrated milieu for the school system to operate within.

3. The Federal Government should provide positive encouragement and inducements for the development and maintenance of integrated schools.

4. The expenditures of funds to alleviate poverty, enrich the education of the opportunity deprived, and for manpower retraining should be carefully monitored and evaluated in terms of concrete results.

Chairman Powell. Mr. Kramer, our assistant chief counsel for education, has some questions to ask you in view of some statements made by Dr. Hauser.

Mr. Kramer, please proceed.

FURTHER STATEMENT OF BENJAMIN C. WILLIS, GENERAL SUPERINTENDENT OF PUBLIC SCHOOLS OF CHICAGO; ACCOMPANIED BY DR. VIRGINIA LEWIS, ASSISTANT SUPERINTENDENT OF SCHOOLS; MRS. LOUISE DAUGHERTY, DISTRICT SUPERINTENDENT; DR. EILEEN STACK, ASSOCIATE SUPERINTENDENT OF SCHOOLS; MRS. EVELYN CARLSON, ASSOCIATE SUPERINTENDENT OF SCHOOLS; JULIAN DRAYTON, ASSISTANT SUPERINTENDENT OF SCHOOLS; AND MISS DOROTHY SAUER, PRINCIPAL OF A HIGH SCHOOL

Mr. Kramer. According to Dr. Hauser, the Ford Foundation approximately a year ago gave the Chicago Public School System a sum of money equal to approximately $4 million to work with the culturally deprived. According to Dr. Hauser, no report has been made yet as to what has been done with that money.

Do you have anything to say about that statement?

Mr. Willis. First, I would say it was $4.5 million to the great cities of America, which involved some 15 cities. It was not a year ago. It was several years ago. Some reports have been made, visits have been made by members of the foundation. There is an extensive report in preparation now.

I should like Mrs. Daugherty to refer to this since she has been managing that project for—how many years, Mrs. Daugherty?

Mrs. Daugherty. Four and a half.

Mr. Willis. Would you also say to the members of the committee how large it is now and the fact that it started as an innovation and what is going on now?

Mrs. Daugherty. The great city school improvement program started in September of 1960. It was originally involved in improving the quality of education for overage elementary children who were 14, 15, 16, and 17 years old.

Our immediate population had about 300 pupils in it. By now we have involved our whole district. We have approximately 30,000 children.

We have had visits from the Ford Foundation. They have published some of our material. We have had much publicity and we can document the results.

We know our young people have moved into high school earlier at improved levels of instruction. We have developed a new educational facility that is preparing the young people to go to work as well as improving their level of education. We encourage them to stay in school until they are at least 21 years old and we do provide followup service for them.

We developed two phases of our citywide dropout program and in our first year our children earned $52,000 in school work programs.

Our work program at our vocational guidance center became a pattern for the State of Illinois in developing elementary work programs for young people who were not seniors in high school.

The quality of classes going into our local high school has been materially improved.

We have developed a 4-H program, programs with parents.

Out of deference to a guest of the committee who thought that because we were staff members of the Chicago public schools that we had been directed what to say, I would like to use the testimony from Representative Armstrong, who certainly was a friend of children, whom I did not know personally, but who sometimes called up because he was interested in what was going on.

Chairman POWELL. Representative Armstrong is a State representative?

Mrs. DAUGHERTY. That is right. He is responsible for the Armstrong law, dated October 15, 1964.

> Many demonstration projects throughout the United States have proof that there is tremendous talent potential which exists among pupils from culturally deprived groups and that there are numerous possibilities for developing it and arousing aspirations which can alter constructively the courses of these young lives.
>
> Support and encouragement of such programs can mean the difference between completing their education and assuming responsible positions in life or dropping out of school and becoming public charges.

Then I will omit the next where he gives some statistics that are encouraging but they do not refer to my particular area.

> It is suggested that the school problems commission schedule a later meeting and invite the director of the great cities project for the board of education here in Chicago and others who have participated in experimental projects and are able to give the technical assistance in getting a program of compensatory education started in Illinois——

Chairman POWELL. That is very enlightening, but your reply is not in line with counsel's question.

Mrs. DAUGHERTY. It is my understanding he wished to know about the expenditure of funds received from the Ford Foundation, Congressman.

Chairman POWELL. That was not his question at all.

Counsel, would you repeat the question?

Mr. KRAMER. One of the questions was why has no report been made public as to what was done with this money and why the Ford Foundation threatened to withdraw this money.

Mrs. **Daugherty.** This was an erroneous report which has been rather embarrassing to Ford. There was no report because we were developing programs.

I did not bring with me but there was a report made to Ford by an evaluator whom they sent out.

Mr. **Kramer.** Did they send the evaluator out because you had not evaluated it?

Mrs. **Daugherty.** No, this is regular practice. We have always had reports, statistics, records available, but we were too busy working to write all of this up. A report was written up by others that appeared in the World Book Supplemental for 1963.

The Ford people now are very happy with what they see has resulted.

Mr. **Kramer.** Can I ask you how long you have been working as an executive with the school board system, in your present capacity?

Mrs. **Daugherty.** As district superintendent, in my present capacity, since January 1962. As a principal, since 1948.

Mr. **Kramer.** Have you any idea how long, if any, time before January 1962 there were either Negro district superintendents or assistant superintendents in the school system in Chicago?

Mrs. **Daugherty.** Yes, I would have an idea.

Mr. **Kramer.** And how many that would be?

Mrs. **Daugherty.** There would be one prior to 1962. When I was appointed as director of the great cities program, the directorship was director five, which is comparable to a district superintendent. But the directors five are comparable. Then in 1963 the district superintendent was appointed, Dr. Virginia Lewis.

Chairman **Powell.** Might I interrupt Assistant Counsel Kramer.

Dr. Hauser said that your testimony this morning was the first time in 12 years that you have gone on record favorably in favor of integration. Is that true?

Mr. **Willis.** That is not true.

Chairman **Powell.** If that is not true, can you support that with some kind of documents?

Mr. **Willis.** That is not true. In 1955 we removed the possibility of permits which were being used for white children to move from one school area to another. In fact, we had, I think, 1,000, 1,500 children on permit in the Austin High School, leaving the Marshall High School area.

The Marshall High School—it was a question of the integration passing along to a point where it was becoming heavily populated, moving in the direction of 100-percent Negroes. We rescinded those permits and all others so no more permits were given.

Second, in 1957 and, incidentally, I had not heard of Mr. Hauser during this period of time, in 1957 on one afternoon I realized that the Lane Technical High School serving as it was always said one-half of the city, was not serving half the city because one-half of the city does not begin at North Avenue. One-half of the city begins at Roosevelt Road.

The next morning we put in motion the availability of Lane Technical High School for Children as far south as Roosevelt Road. I am not sure of this but I think within 6 months or so, within the next year or two the leading student in the freshman class, which is quite large, came from this new area. I could have other evidence of this, too.

Chairman **Powell**. I still would like to know if you have made any public statements.

Mr. **Willis**. Yes, I just told you.

Chairman **Powell**. Have you documents to support that?

Mr. **Willis**. I don't think I have this but we have it in the records of the board of education and in what has happened in the schools.

Mr. **Kramer**. Is it fair to say what you have just detailed to us you have taken positive steps to undo prior acts of prior superintendents of school but you have not taken any positive action on your own——

Mr. **Willis**. I said nothing of the sort, if you will excuse me. I said nothing about prior to my time. I spoke of action that had been taken during my time.

Mr. **Kramer**. You yourself initiated the permit system?

Mr. **Willis**. No.

Mr. **Kramer**. Dr. Willis, this morning we heard discussion of the failure of the school board to provide transportation payment to those pupils who wished to use the transfer policy initiated by you. Did you yourself personally recommend approval or disapproval of that action to the board?

Mr. **Willis**. This action was discussed with a committee of the board over a long period of time. The committee of the board made the recommendation after all facts and information had been presented.

Mr. **Kramer**. Could you give us an idea on what basis that decision was made?

Mr. **Willis**. It was made as the result of looking at maps of the city, studying the enrollment of children in school by school throughout the city.

Mr. **Kramer**. You are saying you could not pay for the transportation of 102 elementary school children?

Mr. **Willis**. It had no relationship to the 102 whatsoever.

Mr. **Kramer**. Dr. Hauser this morning told us that only fractions of 3 of his 13 recommendations of his report have even attempted to be implemented in the past 18 months.

Would you have any comment on that?

Mr. **Willis**. I think it is incorrect.

Mr. **Kramer**. Would you tell us which ones you feel are incorrect?

Chairman **Powell**. There are 13 of them. Let's take each recommendation one by one to see what you have done with each one. These are the recommendations from a board appointed by the board of education.

Dr. **Stack**. I reported on these this morning.

Chairman **Powell**. I do not recall your reporting on these this morning.

Dr. **Stack**. I think the transcript would show it, Congressman, a modified open enrollment in the elementary schools. I would indicate there that 10 suggested clusters of the elementary school level were presented to the board of education. They voted not to cluster any elementary schools.

Chairman **Powell**. The board of education voted not to accept——

Dr. **Stack**. Correct.

Number 1(b)——

Mr. **Willis**. Could I make it clear we did recommend a number of clusters of elementary schools. The board voted not to have any of them. We recommended a number of clustering of high schools. The board voted to take one. Am I right?

Dr. **Stack.** That is correct.

Also on 1(b) on page 28, upper grade centers, we also analyzed the proposal and the superintendent recommended to the board of education the upper grade centers to be clustered. The board of education voted not to do so.

1(c), on page 128 modified open enrollment in high school districts—several of these, I don't remember quite how many, were suggested to the board of education, recommended to the board of education for consideration. They voted to adopt one. That was implemented and is continuing to be implemented.

Mr. **Kramer.** Could I interrupt you for a moment. When you say recommend, the committee information is that last April the Hauser report was submitted and this particular clustering subcommittee was presented, you presented an alternative plan and that plan and not the Hauser plan was presented to the committee so the clustering was actually never presented to the full board of education.

Mr. **Willis.** I am just reporting to you that it was presented to the board.

Mr. **Kramer.** Wasn't the plan known as the Willis-Whiston plan?

Chairman **Powell.** Dr. Willis, would you reply to that, please?

Mr. **Willis.** After a period of 14 weeks, the committee of the board having all facts and information, said "Well, you come in with a plan. We can't agree on any plan."

We came in with a plan based on the discussion, the plan said in essence that many schools were open to many children throughout the city. You should really read the transcript of that meeting of the board. I don't have it with me, but following that a committee did come back, where Dr. Stack picks up at this point.

Chairman **Powell.** May I interrupt and make an observation which might be totally incorrect. But it seems to me from what I have seen so far that the board of education which is appointed by the mayor is the one that is overruling all of these suggestions.

Mr. **Willis.** No; you must keep in mind in regard to this there was a committee of the board to make a recommendation. The first three recommendations in the Hauser report were assigned to a committee of the board, not to the general superintendent of schools.

Chairman **Powell.** That is what I said.

Mr. **Willis.** I was a consultant attending meetings with members of the staff. The recommendations 4 through 10 were assigned to the general superintendent of schools and recommendations were made to the board. Many of these have been implemented.

We are discussing now what was a committee of the board, and assignment to a committee of the board to make recommendations with respect to 1, 2, 3.

Chairman **Powell.** That is all I said. I said the board and the individuals on the board would not accept the recommendations?

Mr. **Willis.** The board has usually accepted the superintendent's recommendations, but the board as a board did make the decision to assign the first three recommendations to a committee of the board and the next 4 to 10 which dealt with educational matters and procedures to the superintendent and staff.

Mr. Pucinski. Would the gentleman yield?

Chairman Powell. The gentleman from Chicago.

Mr. Pucinski. The gentleman is correct that the mayor appoints the members of the school board, but I think the record should show since 1947 or thereabouts it had been the custom in Chicago to have a standing committee of outstanding scholars and educators and civic leaders, the presidents of all of the universities, the president of the PTA, I believe the commander of the American Legion, and various other people——

Mr. Willis. And engineering societies, the medical group——

Mr. Pucinski. These are the people who screen applicants or eligible people for membership on the school board.

Whenever a vacancy occurs or whenever a term expires and there is to be a new appointment, this committee submits to the mayor of Chicago three names for each vacancy, and the mayor then draws from those three. Therefore, I think that the record should show that in essence basically the members of the School Board of Chicago are selected by the best possible cross section of leaders in that city who then recommend to the mayor.

These are not people who are selected arbitrarily by the mayor. Every school board member that Mayor Daley has recommended since he has been the mayor of Chicago has been selected from those people recommended to the mayor by this committee on school board appointments.

Mr. Willis. May I add that New York City and a number of other cities after investigating have adopted this procedure.

Chairman Powell. On May 18, 1965, Prof. John E. Coons, of Northwestern University, wrote Mr. Whiston, president of the board of education, stating in his letter: "The general superintendent's refusal to cooperate is final and total."

Mr. Willis. Dr. Stack worked with this. Would you respond to this question?

Dr. Stack. I would say certainly——

Chairman Powell. Excuse me, but I can't understand why you have to shift your answers to other people when we are talking about you.

Mr. Willis. We have some 30,000 employees. There are a lot of people working at this business.

Chairman Powell. But this is a direct quote concerning you personally.

Mr. Willis. I would say that quote is nonsense.

Chairman Powell. Do you mean it is not true?

Mr. Willis. He first phoned on February 15——

Chairman Powell. Do you mean it is not true?

Mr. Willis. Let's let the record show what the series of events are.

Chairman Powell. Is that true or not?

Mr. Willis. I would say the meaning of those words as I would take them I would have to say it is not true.

May the record show this——

Chairman Powell. Let the record show that the witness is calling Mr. Coons, of Northwestern, a liar.

Mr. Willis. May I read into the record a statement which were your words a few moments ago. February 15 there was a phone request from Mr. Coons.

On March 25, which is considerable time, there was a letter to me from Dr. Keppel, which was the first official knowledge I had regarding Mr. Coons' assignment.

On April 8 there was a reply from me to Mr. Keppel.

On April 25 there was a letter to me from Mr. Coons.

On May 11 I did have a conference with Mr. Coons. I also arranged for him to have a conference for some 2 hours or more, I think, with our deputy superintendent.

On May 18 there was a letter to Mr. Whiston to which you have referred.

On May 20 there were letters to staff and the general superintendent requesting information.

On May 25, there was a letter from Mr. Coons to Mr. Whiston indicating that the superintendent's office called him May 19.

On June 22 there was transmittal of materials to Mr. Coons.

On June 28, we received a draft copy from Miss Weinstock, of Mr. Coons' office.

Five and a half hours on July 15 was spent with Mr. Coons by Dr. Stack.

On July 21, a 3½-hour conference was held with Dr. Stack and including one other member of the staff.

Chairman Powell. At this point I would like to place in the record a letter from the U.S. Commissioner of Education dated March 25 to you, Dr. Willis, starting off, "Dear Ben," which points out that his office has been given responsibility under the Civil Rights Act to do a survey and report to the President on the availability of equal employment opportunities and asking you and your staff to cooperate as much as possible.

I would also like to place in the record a letter from Dr. Coons, Northwestern, to you with a questionnaire, dated April 5, 1965.

I would also like to place in the record a letter dated May 18, 1965, from Dr. Coons to the president, Board of Education of Chicago, Mr. Whiston, "The General Superintendent's refusal to cooperate is final in toto."

Lastly I would like to read into the record, dated May 25, 1965, another letter from Dr. Coons to Mr. Whiston in which he says:

> This is a followup to my letter of May 18 requesting the aid of board members in gathering material for the report to the President and Congress on equal opportunity in education. On May 19 at 11 a.m. the office of the general superintendent left messages at my home and both of my offices. I returned the call at 11:45 a.m. and reached the caller, a Miss Jarchow. She informed me that the general superintendent's office was gathering some material for me and would call in a day or two. I said that I would be grateful for any material, but I reminded Miss Jarchow that I would be gone from the office after Friday. No further call or message was received from the general superintendent's office.
>
> Although it is very late in the game, I would strive to consider and include in my report any material that you or other board members might forward. The opinions of Mr. Coffey that I requested from you would be particularly useful.

Without objection, it is so ordered and they will be placed in the record.

(Letters referred to follow:)

THE U.S. COMMISSIONER OF EDUCATION,
Washington, March 25, 1965.

Mr. BENJAMIN C. WILLIS,
General Superintendent of Schools, Board of Education, Chicago, Ill.

DEAR BEN: As you know, the Office of Education has been given responsibilities under section 402 of the Civil Rights Act of 1964 for conducting a survey and reporting to the President and the Congress within 2 years "concerning the lack of availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin."

The major portion of this survey will be conducted through statistical sampling methods now being worked out through our National Center for Educational Statistics.

In addition, we have contracted with a group of professors of law and social sciences to conduct in depth studies of this problem in a number of communities across the country. The problems and progress of Chicago in this matter are clearly an essential part of the story of how northern cities have dealt with the problems and Prof. John Coons, of Northwestern University, has been assigned this part of the survey. I would be grateful if you would ask your staff to cooperate as much as possible with Mr. Coons in his work. I think the study will be of great significance.

Could I ask you one other favor? We are in need of about 15 copies of both the Havighurst and Hauser reports, together with the comments made by your staff. I realize that these may not be available in which case any copies you could provide would be most welcome.

Sincerely yours,

FRANCIS KEPPEL.

APRIL 5, 1965.

Dr. BENJAMIN C. WILLIS,
Superintendent of Schools, City of Chicago, Chicago, Ill.

DEAR MR. WILLIS. As the recent letter from Dr. Keppel indicated, the Office of Education is preparing a report to President Johnson on the status of equal opportunity in education. The responsibility for this report arises under section 402 of the Civil Rights Act of 1964. A number of cities will be the subjects of reports most of which will be prepared by lawyers who are members of university faculties. As you know, I will be preparing the Chicago report and, of course, will need all the help you can give me.

The general picture of public education in Chicago and the racial and cultural problems of the schools have been dealt with in the Havighurst and Hauser reports in a fashion that I have neither hope nor need to replicate. Although I will try to update some of the general statistics included in those reports, my main concern is to give a more individualized treatment of specific areas and problems. To that end I have drafted a questionnaire the first part of which concerns certain features of 50 specific schools. One copy is supplied for each school in the hope that the administrative burden of answering the questions may be spread among the principals rather than be thrust upon your already busy office. It may be, of course, that you would, in fact, prefer to handle the matter in the office, which would be splendid for my purposes.

Part II of the questionnaire, of which 10 copies are supplied, contains general and specific questions for your office. It also includes request for reports and other documents, and I would like to emphasize most strongly that any available material relating to the general areas of inquiry will be greatly appreciated. One who does not live daily with those matters is often unaware of the specific proposals, programs, reports, and so forth that may be relevant.

As further avenues of inquiry become apparent I may supplement the questionnaire with additional requests for information. I would hope, also, that you and your staff will give me the benefit of any suggestions as to the kind of report which you would like to see made to the President. I need ideas as well as information.

Finally, I hope that you will encourage your colleagues and the principals to cooperate with me and with the half dozen law and graduate students who have volunteered to assist me. To that end I would appreciate a brief letter indicating your general endorsement of their visits to principals and administrators in pursuit of information. I would plan to have such letter duplicated. Each of my assistants would carry that letter plus one from myself identifying him or her as representing me. Alternatively, you could give me an individual letter for each person. Without exception these are mature, discreet, intelligent people who will be instructed to avoid becoming a burden to any principal. Two of them are lawyers. All are 24 years of age or older. Frankly, their contacts with school personnel probably will be minimal in all but a few cases.

I will need to have all questionnaires completed and returned and all data gathered by May 15. I greatly appreciate your help and look forward to working with you to the end of producing an objective and accurate study.

Sincerely yours,

JOHN E. COONS,
Professor of Law.

NORTHWESTERN UNIVERSITY SCHOOL OF LAW,
Chicago, Ill., May 18, 1965.

Mr. FRANK M. WHISTON,
Chicago, Ill.

DEAR MR. WHITSON: As you know from our conversations, meeting, and correspondence over the last 5 weeks, I have been engaged since February in preparing part of a report by the Department of Health, Education, and Welfare to the President and Congress of the United States. The subject matter of the report is equality of educational opportunity in the Nation's public schools. Under section 402 of the Civil Rights Act of 1964 the U.S. Commissioner of Education is required to prepare and submit such a report before July 1, 1966. At the invitation of the Commissioner I have undertaken to study the Chicago public elementary and high schools.

I write you and the rest of the board at this time to request aid and guidance in a most perplexing situation. From the very beginning of my research efforts I have faced a difficult obstacle. As I have indicated to you in several conversations, I made every conceivable effort since February to contact the general superintendent by phone, visit, letter, and even through the good offices of yourself and of the U.S. Commissioner of Education. Despite these efforts even the general superintendent's secretary was unavailable and either unable or unwilling to return phone calls. It was not until May 10 that a Miss Wilson called to tell me that I could see the general superintendent the following afternoon. That meeting was 10 minutes in duration. It consisted of a denunciation of my mission and myself by the general superintendent. He refused at that time to discuss any matters of substance, but indicated that I could call for an appointment this week. He did not promise to grant such an appointment. He left me with the deputy superintendent who was cordial but powerless to give me even published reports. I have called the board of education at least once each day since the meeting. Neither the general superintendent nor his secretary has been available. None of the calls has been returned. No meeting has been set, nor will any now be set, as I leave Chicago on the 23d to begin writing. The general superintendent's refusal to cooperate is final and total.

This situation would have some aspects of comedy were it not for my responsibility to report to the Federal Government. As it is I am gravely concerned lest my report represent a view of the public schools from every perspective except that of the persons who are most familiar with them and most sympathetic to their manifold problems. As a lawyer I am sensitive to the hazards of listening to one-sided argument. The adversary system has advantages which I will not surrender unnecessarily, even though my efforts to gather data from sources other than the superintendent have not been fruitless. I should add that the failure of cooperation is unique to Chicago. The Evanston studies for which I am responsible are going forward with the fullest support by the superintendent of both districts.

My report must be complete before the end of June. It is now too late to shift radically the focus of my research. However, it would be immensely useful if I could obtain answers at least to some of the general and specific questions contained in part II of the questionnaire I delivered to the general superintendent's office at the beginning of April.

Further, it would be most helpful if I could obtain from you and other board members the kinds of reports, proposals, minutes, and other documentary material requested in part II of the questionnaire together with those legal opinions of Mr. Coffey that I have already asked you to obtain. Finally, I would be very grateful for any ideas that you and other board members might wish to see considered in the final report. After May 23, the following address will be appropriate: Prof. John E. Coons, care of Mr. Vincent Conroy, Harvard University, School of Education, Cambridge 38, Mass.

I have indicated to you on several occasions during these last weeks my distress over the looming necessity for approaching the board in this fashion. Were there any alternative that I perceived, I would have used it.

Sincerely yours,

JOHN E. COONS,
Professor of Law.

HARVARD UNIVERSITY GRADUATE SCHOOL OF EDUCATION,
Cambridge, Mass., May 25, 1965.

Mr. FRANK M. WHISTON,
President, Chicago Board of Education,
Chicago, Ill.

DEAR MR. WHISTON: This is a followup to my letter of May 18 requesting the aid of board members in gathering material for the report to the President and Congress on equal opportunity in education. On May 19 at 11 a.m., the office of the general superintendent left messages at my home and both of my offices. I returned the call at 11:45 a.m., and reached the caller, a Miss Jarchow. She informed me that the general superintendent's office was gathering some material for me and would call in a day or two. I said that I would be grateful for any material, but I reminded Miss Jarchow that I would be gone from the office after Friday. No further call or message was received from the general superintendent's office.

Although it is very late in the game, I would strive to consider and include in my report any material that you or other board members might forward. The opinions of Mr. Coffey that I requested from you would be particularly useful.

Sincerely yours,

JOHN E. COONS,
Professor of Law, Northwestern University.

Mr. WILLIS. Mr. Chairman, may I read into the record a letter dated July 22, 1965 which begins:

> DEAR BEN: Many thanks for your note and statement you sent to the capable hands of Wayne Reid and Arthur Harris. I am, of course, glad to see that matters related to the new legislation are moving along as well as they seem to be. As you know, we look to you and your colleagues in the States to show the way.
>
> Sincerely yours,
>
> FRANCIS KEPPEL.

Mr. KRAMER. Is it not true all of these dates follow the most significant date July 12 when the New York Times publication posed the situation and the business leaders of Chicago entered into the matter?

Mr. WILLIS. Yes, I think it might be indicated that Mr. Coons was out of town. I forget the exact dates, but for a month. Following that he was on a 2-week vacation. He was not available during that time.

Mr. PUCINSKI. Doctor, Mr. Hauser had made many references to his report. I gather some of his testimony was only his personal observations and not necessarily the observations of the entire committee that made up the report. I wonder if we could get you to comment on this statement in the report which is on page 41:

> To prepare the child and the opportunity deprived Negro families for full participation in metropolitan life requires levels of expenditures for public education beyond the city's traditional educational budgetary levels. indeed, under the present tax chamber beyond the city of Chicago's financial resources. In consequence, Chicago, like other great American cities, must necessarily look to the State and Federal Governments for financial aid.

First of all is that a true statement? Do you have the resources or do you really have to look to other sources?

Mr. **Willis.** I have reported to our board the difference between the expenditures per pupil in suburban school districts and in New York City. I have usually referred to the figure, the difference of $200 per year. It is considerably more than $200 per year but you must realize that $200 more per pupil in the city of Chicago would be somewhere in the vicinity of $120 million more a year, so the statement is true that we do not have the funds from the property tax, our only source, to match the expenditures except with an exorbitant tax rate.

Mr. **Pucinski.** Under the able leadership of the chairman of this committee, we have been able to get through Congress for the first time in the history of this country a meaningful Federal aid to education bill, one that I believe will give the city of Chicago some $16 million. I might add that just a few minutes ago before I came here, I talked to Congressman Mahon and asked him if there was any possibility of getting the appropriation before the House as quickly as possible so that school administrators all over the country can make appropriate plans for the opening of their schools September 1.

But, now, how will this money change much of the criticism that has been levelled at the school systems around the country including Chicago, if at all? What will this money mean to you in terms of breaking down this de facto segregation, if anything?

Mr. **Willis.** We have presented really three reports to our board on this matter. The first was in April, explaining at that time what it would mean to have the funds from this legislation. We subsequently have made two or three additional reports to the board as to what we would do if we had the proceeds from this legislation.

I will be happy to file copies of those three documents. They are filed, incidentally, with a list going to the chairman and with a list going to the official reporter.

Mr. **Pucinski.** Could you give us a list of the highlights of your plan so we can see if you are going to make a dent in this problem?

Mr. **Willis.** We believe one of the elements is quality of education. When we talk with parents we seem to find this to be true. One of the elements of quality education is the number of children a teacher has in her class. We have suggested in a number of areas that size of class be reduced to 30, and still other classes be reduced to 25, and still many others to 15.

Secondly, we have suggested afterschool activities and expansion of afterschool activities.

Third, we have suggested what we would call an educational service center which I think was referred to in title III in which we would add 1 additional person in relation to every 16 or so teachers in the group to provide such services as in the field of human relations, psychological, and others.

In fact, we did list them with this district staff to involve such persons as these—human relations coordinator, school community coordinator, afterschool program coordinator, volunteer services coordinator, reading program, reading clinician, counseling services coordinator, same for special education, consultant services, home economist, instrumental, vocal music teacher, supervising engineers, clerks, and so on.

Mr. **Pucinski**. What will all these additional services in these segregated schools and in the integrated schools mean in terms of improving the quality of the education in those schools?

Mr. **Willis**. It means you would have a number of specialists each working in a particular area to be of assistance to teachers, to principals, and to people in the community.

Mr. **Pucinski**. Doctor, is it safe to assume that when you have been able to successfully improve the quality, particularly of the peripherally integrated schools, the quality of the education in those schools, is it safe to assume that the flight of youngsters, the white youngsters can be arrested, and these schools can indeed become integrated?

Mr. **Willis**. I have had group after group of several hundred people ask the question, "Can you promise us that class size will be reduced?" I say, "No, unless funds are made available." Then they say "Well, we will move to the suburban area."

As an example, here we have Mr. Jones, who is a teacher in the Moseley School on the South Side. He has been having a class of 15 because children had special problems. This is what we are talking about.

Mr. **Pucinski**. Would you comment on this statement of mine? I have felt in listening to your testimony and in studying this problem that the chairman of this committee and the members of this committee perhaps do not realize what a monumental contribution they have made toward breaking down segregation in this country and helping integrate schools particularly in the peripheral areas by making available this huge sum of Federal assistance to improve the quality of education in the public schools. What would be your comment on that statement?

Mr. **Willis**. I would agree with you.

Chairman **Powell**. Would the gentleman yield?

Mr. **Pucinski**. I yield.

Chairman **Powell**. If the Federal Government gives money to these school systems, how can it control its use under the Civil Rights Act, title VI, called the Powell amendment? It took 6 months from the time of the New York Times exposure to get straight answers?

Mr. **Willis**. I should add what I added a few moments ago that Mr. Coons was not a stranger to our school system. He had spent a number of months on a previous occasion getting acquainted with it, working with staff members and attending board meetings and other details, so he was not a stranger this past spring.

But certainly on this question here, I think it is written into the law in State plans that they have to be approved for the school district and I think there is no question but that the impact of smaller classes, as has been mentioned by Mr. Pucinski, and a number of other items, the mere fact that for once the schools in the large cities of America might reclaim the place that they held prior to the First World War when the schools in the great cities were the lighthouse school districts. It was following the First World War that the suburban schools began to be the lighthouse school districts throughout America.

Chairman **Powell**. You know what I am bringing forward with this correspondence, and with our dialog, is the fact that there is possibility of cities having de jure segregation in addition to de facto.

Mr. Willis. I think the evidence is as we have presented it today that there are more children, some 15,000 to 20,000 or more——

Chairman Powell. Yes, but the evidence, Dr. Willis, is not what you present here. It is the evidence you presented to Commissioner Keppel or his representative.

Mr. Willis. It is a mistaken notion.

Chairman Powell. But the correspondence is here.

Mr. Willis. It is a mistaken notion drawn from that.

Chairman Powell. Did you answer Dr. Coons' questionnaire?

Mr. Willis. Yes.

Chairman Powell. When?

Mr. Willis. They were available for him while he was on his leave in Boston or wherever he was for 6 weeks when he was away from town.

Chairman Powell. Prior to that when he said you would not cooperate——

Mr. Willis. It is not a question of cooperating. It is a question of having time to fit in any number of things. Keep in mind our State legislature has been meeting. You have been dealing with a very important piece of legislation. We have a number of other things involved as we go along.

Chairman Powell. All I can say is I am going to refer this entire question to Dr. Keppel. I just concluded a conference with the new Secretary of HEW—by the way, Mr. Ayres, he is a Republican—and we are going to pursue this because I see elements of de jure segregation.

Mr. Pucinski. On the very point the chairman just raised, if I may read from the so-called Hauser report, or the report by the Advisory Panel on Integration of the Public Schools, in reading from page 62:

> How much effect would a different policy regarding attendance boundaries have on the number of integrated schools.
>
> An analysis was made reviewing the attendance area boundaries and considering various alternative procedures for constructing attendance areas. The analysis resulted in the following general conclusions:
>
> 1. Even if the most extreme procedures of redistricting school attendance areas to increase school integration would be used, there would still be all-Negro and all-white schools in the city;
>
> 2. Under the present neighborhood school policy the majority of integrated schools occur in integrated or racially changing neighborhoods. When a rigid boundary area divides Negroes and white areas, the areas are usually segregated; and
>
> 3. The principal reason why segregated residential areas are served by segregated schools is that major natural boundaries, such as main streets or railroad boundaries are for reasons of safety as well as becoming likely racial boundaries.

For this reason, I wonder whether or not it is possible to compare de jure and de facto segregation. Would you care to comment on that, Dr. Willis?

Mr. Willis. I think I would use Mr. Hauser's words again which are found on page 40, or at least the words of the committee:

> De facto segregation in the Chicago public schools and the problems it generates are problems of historical forces which have operated through the life of the Nation and the city. They are unprecedented in magnitude and complexity. They must be tackled in the broad context of the changing role of the Negro in the United States.
>
> Furthermore, it must also be remembered that similar problems face other newcomers to Chicago, to metropolitan United States in general, the Appalachian whites, the Mexicans, the oldest inhabitants of this continent, the American Indians—

and, incidentally, I would hope you would put that page in the record of the meeting also.

Mr. Pucinski. Then finally, Doctor, on page 65 of the Hauser report we read item 67:

> When schools in the far south area of the city became crowded, a new high school was planned for a site which would require them to be integrated.

I presume this was board policy. You selected a site because you wanted to integrate that particular school?

Mr. Willis. Yes, sir.

Mr. Pucinski. When was this?

Mr. Willis. This was the Harlan High School which was put into use in 1958.

Mr. Pucinski. Whose idea was it that that school must be integrated?

Mr. Willis. I guess I could say I selected the site and we took the boundary midway between three other schools.

Mr. Pucinski. Reading further from page 65, "The school was built in spite of considerable protest and was integrated since then." I wonder if you could tell us what is the situation in that particular high school today?

Mr. Willis. It is now 9.7 percent white.

Mr. Pucinski. Would you repeat those figures?

Mr. Willis. When the district was first established it would have been at least 50–50. Now at the present time, 4 years later, it is 9.7 percent white and the attendance area has not been changed.

Mr. Pucinski. In other words, you originally had built a school in a community under strong protest as an integrated school?

Mr. Willis. We were sued by the white folks.

Mr. Pucinski. What happened there?

Mr. Willis. We defended the suit and won it, but the school changed from 50-50 to 9.7.

Mr. Pucinski. Had you changed the school district?

Mr. Willis. Not at all.

Mr. Pucinski. In other words, that school's population changed not because of any action taken by your board but the change in the neighborhood?

Mr. Willis. By an expanding population in the city of Chicago.

Mr. Pucinski. A question was asked of you over here as to your attitude toward integration. I was wondering what are you doing to increase the number of youngsters who are culturally gifted and who do not find a compatible educational level in their high school to transfer into other high schools where they can find a compatible cultural level.

This morning you told us under your free transfer plan there are some 600 such youngsters. Is anything being done by the board to advise youngsters of this opportunity if they meet those standards?

Mr. Willis. Yes; and I might add the one at hand at the moment is in our summer school program, where we have special opportunities in some instances, citywide, such as French House, or Russian House or programs in the languages, in others musical activities, and some other classes we have been running over a period of time. Our students were advised that they could get to any high school in the summertime.

Mr. **Pucinski.** Under the able leadership of the chairman of this committee, and this committee for the first time in the history of this country, the Congress has made available to people like yourself funds to start Head Starts. You today have in Chicago, as I understand it, one of the, if not the most successful Head Start operations in America.

What impact is this program in your judgment going to have on improving, first, the quality and the ability of teachers to communicate with their youngsters and, in general, increase the quality of education so that you can arrest the flight of white students from these peripheral areas?

Will the Head Start program have any impact on that?

Mr. **Willis.** I think it will.

As a matter of fact, there are several products and byproducts of this program.

I might mention a few. One is that teachers were visiting in the homes of these children.

Another is that we have 3 workers per 15 children, which is a ratio of 1 adult to each 5 children.

Next we would expect that the children will enter school with a far higher percent ready to read than ever before in these areas.

Would we expect the children to make more normal progress and cover more grades with more success in a period of years? We have already suggested that it will be our intention to follow these children year by year so that we will have the hard evidence which we have from operating our summer schools for the past 6 years.

I may say we have the only hard evidence as to what happens when you organize schools in a metropolitan area as they are organized and financed in the suburban areas. We began this in 1960 and we have constantly expanded.

Mr. **Pucinski.** Mrs. Daugherty, would you be good enough to answer a question for me, since you are at the grassroots level as a district superintendent working day in and day out with these problems.

Would you be able to give this committee some evaluation or estimate, with the programs that you now have in operation, the programs that you have on the drawing board which will go into operation when you get the additional money for the poverty areas in Chicago, can we look with any degree of confidence to a day nearby when the quality of education will reach that point in Chicago and other parts, and Chicago particularly because I am concerned about your area, where you will be able to arrest this flight and indeed proceed with an integrated program of education in the peripheral areas?

Mrs. **Daugherty.** I think I can give that assurance. In one of our schools, Drake—which is a new building for grades kindergarten to 6—we have had a lower class size and as those children leave the sixth grade going to the seventh grade as a group and as individuals their achievement scores are much higher.

We are looking forward to having some new construction with private funds immediately west of Drake. From what the newspapers say, the new homeowners are likely to be predominantly white with some Negroes.

I am confident that those new homeowners will be happy to put their children in this particular school.

Now in terms of what is happening to our general high school, we keep age studies, we keep test results, and I looked very carefully at what is happening to the first year in our high school. We feel that it is important for young people to get into high school at an age where they are young enough to want to stay until graduation.

In 1958, 1 out of every 4 high school freshmen in our district was 16 years of age. It is reasonable to assume that a young person who does not get into high school until he is 16 is not going to stay until he is 20.

At 16, he is likely to have the least achievements rather than the greatest.

Last year, we had doubled our enrollment in the freshman class. One out of every 25 young people was 16 years of age.

In the same period of time our lowest track had been cut in half. In other words, we had to provide only half as many classes at the lowest level as we had needed 2 or 3 years ago. So, in doubling enrollment, we have brought the youngsters up from the bottom and, at the same time, we have not neglected our more gifted.

Mr. PUCINSKI. Dr. Willis, would you be good enough to comment on this or give us an answer. Certainly when 10,000 people rally behind Dr. King to protest conditions in the schools, this is something that is certainly of great concern to all of us. I was wondering what lines of communications you have or intend to establish if you don't have any now to give these people an opportunity to bring these grievances directly on the attention of yourself and your aids, and if there are merits to their complaints to see what can be done to correct these complaints.

In other words, I do not think that we can just treat lightly and ignore the fact that yesterday in Chicago some 10,000 people did join Dr. King in this protest.

I was wondering if you could tell me or tell the committee what efforts are being made by your own department and the board to bring in to line a better communication to remove these areas of dissension, if anything.

Mr. WILLIS. We have a number of items. In the first place we do get considerable mail. We do try to keep up with it. I don't know that we have ever refused to have a conference with any one on any subject.

Certainly we have six associate superintendents. You can not see everyone; no one can. We have a human relations staff of some four or five people. These people are constantly available to use the radio and the TV. In giving courses, we have had dozens of human relations courses to reach the people in the city, so I would say a number of things are underway and there are probably a number of other things we could do.

Mr. PUCINSKI. Do these human relations people seek out those who have been critical of your policies and your programs? Do they make any effort to listen to their grievances and evaluate them? What is the function of this human relations agency of the school system?

I am glad to know that you have them. Now I would like to know what it does.

Mr. WILLIS. They visit with community groups, they visit groups at schools, and they even visit with block club groups. You might be interested to know a plan is underway where one of these persons or more of them or several of them will have the equivalent of a night school with a faculty available, with classes meeting in homes block by block, let us say.

Mr. PUCINSKI. Do you anticipate then, Dr. Willis, that with a closer cooperation and with better communications that much of this turmoil that Chicago has been experiencing the last 45 days could either abate or be completely eliminated?

Mr. WILLIS. I would hope so. As a matter of fact, there are those who said we had a lot of turmoil when we had 30,000 children on double shifts, people wanting to get off double shift. But certainly from the standpoint of human relations we have already recommended that that post should be in every district.

Mr. PUCINSKI. I would think it would be of as much concern to you as anyone else when 10,000 citizens join in a march on city hall to protest school policies.

Do you intend to do anything in this matter? Do you intend to try to meet with these people? Do you intend to improve the lines of communications so that there might be better understanding?

I am very much impressed with the testimony you present to this committee today. I think you people have been trying to do a good job. It would seem to me that if there is serious criticism, either there are things here that we did not see or perhaps some of your critics do not have the full scope and grasp of what you are trying to do.

I was wondering whether or not this is not an area where we ought to have that communication, not only in Chicago but all over America where we have these problems.

Mr. WILLIS. Yes. I think what you are really suggesting or asking about is that we need very likely more people working at different things than we have ever had in the school systems of America.

When we use the phrase "school community coordinator" or "human relations counselor" or "more psychologists" or whatever the phrase might be, I think it suggests that what was mentioned a decade or two ago as being important in the staffing of schools, that we need at least 50 professional workers per 1,000 children. This has been documented and reported, I guess, for more than a decade.

It has been pointed out that suburban school districts have up to 75 or 80 professional workers. We have, I think, about 38.

The difference between 38 and 50 is 12 per thousand.

For instance, we referred to suburban schools. We have a high school teacher for 23 to 24 high school children. In suburban schools there is 1 per 16. That is a 50-percent increase in staff. You will find this is true to some degree in suburban schools in all large cities. You have the other difficulties, not only numbers of people but you have differences in salary and you could go on for a whole long list.

I think this is what we are talking about. If I may refer to another item, this is why, if you will recall the bills that were introduced growing out of President Kennedy's task force, there was a suggestion—and this was back in 1963, produced in 1961—it was suggested, the bills were written, and they were introduced. I spent hours on the telephone with persons in the Office of Education trying to highlight the problem, and it was said at that time that the same thing that the Committee for Economic Development had suggested as being necessary for some eight Southern States, that the same kind of situation should be developed in relation to the large cities and segments thereof.

Mr. PUCINSKI. Thank you very much.

Chairman POWELL. The distinguished Republican member, Mr. Ayres, is recognized.

Mr. AYRES. This morning an example was given of a law suit involving a school building and now you have only 9 percent white students in that school?

Mr. WILLIS. That is correct.

Mr. AYRES. In this situation, we know the decrease in whites is due to the fact that they no longer live there. But what was the cause of the increase in the Negro population? Were they people moving from within Chicago—to get back to my point concerning the origin of population shifts—or people coming from without Chicago to the city?

Mr. WILLIS. In the area of the school that we are referring to, I would guess that it was largely moving within the city as the result of a higher economic level in this location, but there was also in-migration.

May I cite a few figures that we get from the census.

Over the past two decades, the white population of Chicago has decreased while during the same time the nonwhite population has increased substantially. To be more specific, from 1940 to 1950—these are census figures, total population—the white population decrease was 0.1. This was 3,039 persons.

From 1950 through 1958, the white population decrease was 13 percent.

In 1940–50 the nonwhite population increased 80 percent. This was 227,193 people.

From 1950 to 1960, the nonwhite population increased 64 percent. This was 328,219 people.

With reference to the school-age population in the city of Chicago, there has been an increase especially during the past 15 years. Most of this increase is due to an increase in the nonwhite school population. The nonwhite school-age population during the period 1950–60 increased 668 percent more than the white school-age population increased during the same period.

To be more specific, 1950–60, the white school-age population increased 3 percent. This was 19,538 persons.

During this same period, 1950–60, the nonwhite school-age population increased 146 percent. This was 150,062 persons. These figures are from the U.S. census.

The number of white pre-school-age children decreased during the last decade while the number of nonwhite pre-school-age children more than doubled during the last decade.

From 1950 to 1960, white children under 5 decreased by 8 percent, or 22,643 children.

The 1950–60 nonwhite children under 5 increased by 141 percent, or 76,139.

You asked this morning where these children came from and I could not find the evidence with me. We do not have the records to show.

Mr. AYRES. But they are from outside the immediate area of Cook County?

Mr. WILLIS. This is in-migration; yes. I think we can say that without question.

Mr. AYRES. Do you have any figures available that would show the percentage of the total school-age population attending school? I am not talking about the dropouts and so forth, but of those who are enrolled in school grades 1 through 12.

In Chicago, what percentage are Negroes?

Mr. WILLIS. I think citywide it is 53 percent. I might point out in grades 1 or 2 as these figures I just read would indicate, it is probably 58 or 59 percent, but when you go up through the grades it gets less because the families are younger. The mothers and fathers are younger, we know that. The families are larger.

Mr. AYRES. What is the total population including all of the citizens in Chicago? What is the ratio of white to nonwhite?

Mr. WILLIS. I think the figure is around 27 percent, but you must keep in mind when we say 27 percent of the population—and we use these figures for schools—only roughly about two-thirds of all of the children in Chicago are enrolled in the public school system.

Chairman POWELL. The gentleman from California, Mr. Hawkins.

Mr. HAWKINS. Dr. Willis, just a couple of questions. I am sorry I missed your testimony this morning. Perhaps my questions may be a little redundant, but do you believe integration of the schools should be the objective of a good school system?

Mr. WILLIS. I would say it is one, certainly equal education for everyone.

Mr. HAWKINS. Did I understand you had offered some specific proposals to accomplish this objective?

Mr. WILLIS. We have had several; yes.

Mr. HAWKINS. They were listed this morning?

Mr. WILLIS. Yes.

Mr. HAWKINS. Do you believe that this integration should be achieved even if it does violence to the neighborhood school concept?

Mr. WILLIS. I think at this point you get involved in many factors regarding children—distance they go from home—and when you speak of the neighborhood school system, remember I didn't invent it. It has been here for 200 or 300 years, but in any event when I attended a neighborhood school it was a one-room school out in the country but it was a neighborhood school.

I think the point here is as communities change—and as has been pointed out in the documents, communities do change—the total population changes. In fact, it changes while a school is being planned or is under construction in our cities.

Mr. HAWKINS. I am very much aware of that, doctor, but the point is the question goes to the issue of whether or not an integrated school system should be achieved in spite of neighborhood school concepts. Is it your opinion that this concept is a sacred one which should not fall to the thought that the Supreme Court and others believe that segregated schools do not constitute good education? Would you in that condition, if a choice had to be made, would you make it in favor of integrating a school or in saving the neighborhood school concept?

Mr. Willis. You see, Mr. Hawkins, you can go 6 miles in our city and find children of all one group. I refer to the area of the loop and going south.

Now 6 miles is quite a distance. In that 6 miles we have 75,000, maybe 50,000 children.

To really answer your question, as far as we are concerned, you have to have a very large area. We have some maps which I would be happy to show you now.

Mr. Hawkins. I get the impression you are saying in effect the neighborhood concept should be saved at all costs.

Mr. Willis. I did not say that at all. We have had permissive transfer programs which have been recommended by us. I guess we had some even before Mr. Hauser's time.

Mr. Hawkins. You are saying in spite of the neighborhood concept that integration wherever possible should be achieved?

Mr. Willis. Yes, and we have been attempting to do this.

Mr. Hawkins Did I get the impression that in the assignment of teachers that there is no restriction on the assignment, for example, the principle of the school does or does not approve of assignment but it is made from a central office according to the vacancies and there is no other restriction on the selection by a teacher of where that teacher will serve provided there is a vacancy?

Mr. Willis. I am happy you asked that question because I don't believe we covered it at all this morning.

We have some 400 or 450 principals. We have a selection of principals by an examination procedure; and from the list that finally results, if it is a list of 65 or 70 or 80, as 10 schools are being filled in a principalship wherever they are, procedures for these schools are automatic. In the order in which you appear on that merit list, you take your choice of the school for principalship.

In regard to teachers, we have merit arrangements for teachers through the certification process, and the order in which the name appears on the list; you see a map of the city and see the vacancies and you look at the map and make your choice.

Mr. Hawkins. For that I wish to commend you.

In the question of new schools, I think you indicate some five to be opened. Are these in neighborhoods that are segregated or are they in the periphery or mixed or what?

Mr. Willis. I would say it would be both. I pointed out this morning where they were located on a map with respect to percentages of whites and nonwhites. I indicated that. But as a matter of fact, between the loop and the midway, which is largely all nonwhite or almost entirely so, we have growth in population there, too.

Mr. Hawkins. Have you planned the location of these schools in such a way as to achieve integration?

Mr. Willis. I think we could document that we have had numbers of school plans on what you would describe as the fringe area and we are constantly moving out with the building program. But as we plan schools, as Mrs. Lewis testified this morning, for a year she was in one of these districts. She was the district superintendent, and in the period of time, let's say it takes 2 years to plan and build a school, by the time it is opened the situation is changed dramatically.

Mr. Hawkins. I have just one final question.

Do you have any idea why Dr. Coons has reported to his agency that you have failed to cooperate? Is there any explanation you can offer as to why such a report should have been made by him?

Mr. WILLIS. I have no knowledge of why he was selected to make a report at this time or 2 years ago.

Mr. HAWKINS. You had no conversation that would indicate dissatisfaction in some way or his feeling that you had not cooperated?

Mr. WILLIS. I must say that I did talk with him. I talked with him some time ago, but it seems that he took a contract to do something in a specific period of time. If he had had a contract to do this at the time that might fit in when we had some time or could make some time available, maybe the situation would not have obtained.

I might add another point which I did not make. In this period of time I think I had two conversations with Commissioner Keppel by phone.

Mr. HAWKINS. All of these conversations were friendly?

Mr. WILLIS. With Mr. Keppel?

Mr. HAWKINS. With Mr. Keppel or Dr. Coons.

Mr. WILLIS. Yes, I would say they were friendly.

Mr. HAWKINS. That is all, Mr. Chairman.

Chairman POWELL. The gentleman from Illinois has one last question before we adjourn.

Mr. PUCINSKI. This is totally unrelated to what we are talking about today, but it is not often that we have an opportunity to probe this question with a school superintendent from our city.

What has happened to the old truant officer? When I was a kid, when I stayed out of school, you didn't dare go out on the street because you knew that the truant officer was going to get you and you were going to get in trouble. Today as you drive down the street during the school hours on a regular schoolday you see hundreds of children of school age roaming the streets.

I was just wondering if you could tell us what happened to the old school truant officer.

Mr. WILLIS. I have been fooled by that on occasion myself because there are some holidays for some schools that public schools do not have. This does not happen every day but it does happen.

I might point out that we call them school attendance workers, I think, although the civil service title is truant officer. We put these people to work in August for a week or two. At the close of any school year, you know where the attendance problems were the previous year. During the week before school opens they are on the job trying to encourage parents and students to be in school earlier. In fact, we have noticed a big difference in the early enrollment of many children in the past few years.

We still have some 211 of these persons.

Mr. PUCINSKI. Thank you very much, Doctor.

Chairman POWELL. I would just like to thank you, Dr. Willis, for being here today.

Tomorrow we will hear from the head of the NAACP and we will meet at 9:30.

I also want to send you off to Chicago with one disturbing question. Why is it that in the midst of an all-white area a low income housing project was built (item 68 in the House report). Rather than residents of this project, who were almost totally Negro, going to the all-white school—with the all-white school being expanded—there was built for that project a school probably one-half the size of the smallest high school in the city of Chicago.

I just want you to have something to think about while you are flying home.

Mr. Willis. You may be referring to our Carver School. I am not sure.

Chairman Powell. It is on page 68 of the report, if my memory serves me.

Mr. Willis. The school is not mentioned by name. I should point out this high school was built before my day. It was built as a part of a school facility——

Chairman Powell. You would not do anything like that now?

Mr. Willis. We haven't done that. Do you want to see some others?

This may be the school. Before we go, may I thank you and express to you and the members of your committee our appreciation for your interest in education and the improvement of the opportunities to make improvements in the large cities. Certainly we follow your work with a great deal of interest and we do appreciate your interest and your courtesies to us today.

Chairman Powell. The committee stands adjourned.

(Whereupon, at 6:25 p.m. the committee was recessed, to be reconvened at 9:30 a.m. Wednesday, July 28, 1965.)

DE FACTO SCHOOL SEGREGATION

WEDNESDAY, JULY 28, 1965

House of Representatives,
Ad Hoc Subcommittee on the
War on Poverty Program,
of the Committee on Education and Labor,
Washington, D.C.

The ad hoc subcommittee met at 10 a.m., pursuant to recess, in room 2175, Rayburn House Office Building, Hon. Adam C. Powell (chairman of the ad hoc subcommittee) presiding.

Present: Representatives Powell, Pucinski, Mink, and Quie.

Also present: Chuck Stone, special assistant to the chairman; Michael Schwartz and Donald Anderson, assistant counsel; John Kramer, assistant education counsel; and Odell Clark, chief investigator.

Chairman Powell. The committee will come to order.

We have four witnesses and we will conclude at 12 o'clock, all of the hearings. The time of statements and the time of questioning for the witnesses will be limited to a half hour. It is my suggestion that after 15 minutes, the witness conclude his statement so that there will be time for questioning, which we consider very important.

We are very happy to welcome as our first witness the field director of the NAACP, of Chicago, for the Illinois area, Mr. Finley, and whoever he has with him.

Will you identify them?

STATEMENT OF SYDNEY FINLEY, QUAD-STATE FIELD SECRETARY, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE; ACCOMPANIED BY CHARLES CHEW, JR., AN ALDERMAN OF THE 17TH WARD OF THE CITY OF CHICAGO; AND MEYER WEINBERG, EDITOR OF "INTEGRATED EDUCATION MAGAZINE"

Chairman Powell. I suggest, Mr. Finley, that your statement will run about 21 minutes, and you consider the statement as read.

Without objection, it is inserted in the record, and I suggest that you give us an oral summary for 15 minutes.

(The statement follows:)

National Association for the Advancement of Colored People,
New York, N.Y., July 26, 1965.

Hon. Adam Clayton Powell,
Chairman, Committee on Education and Labor, U.S. House of Representatives, Rayburn Office Building, Washington, D.C.

Dear Sir: In connection with our recent conference in your office concerning the Chicago public school system and in amplification of our charges of racial segregation, we charge that Negro schoolchildren in the city of Chicago, on the ground of their race or color, are excluded from participation in, denied the benefits of, and subjected to discrimination under programs and activities of the Chicago public school system, which programs and activities receive substantial Federal financial assistance.

More particularly, the following facts are hereby submitted:

1. The incidence of racial segregation in the Chicago public school system has increased in the past several years. It is our contention that the segregation which exists is not the fortuitous result of the residential pattern, but rather is due in large measure to official action on the part of the board and its superintendents. In regard to more recent increases in the incidence of segregation, attached hereto as annex A is a copy of a report by Mrs. Junerous Cook, Chicago Urban League research specialist.

2. Each year, the Chicago Board of Education prepares and approves a budget in which money is allocated on a school-by-school basis. As to those schools which are all or predominantly Negro in their student enrollment, the board consistently allocates and spends substantially less money per pupil than what is allotted to and spent at the all or predominantly white schools operated by the board.

3. At the all or predominantly Negro schools, the board and superintendent have so operated the school system that classes at said schools are seriously overcrowded, the actual classroom pupil-teacher ratio is higher, the equipment and teaching materials are inferior in quality and quantity, the teachers are more inexperienced and unqualified, and the students are often denied the use of books for home study, whereas at the all or predominantly white schools, the classes are not so overcrowded (and in many instances the facilities are underutilized), the pupil-teacher ratio is smaller, the equipment and teaching materials are superior in quality and quantity, the percentage of experienced, qualified teachers is substantially higher, and the students are granted the use of books for home study. In some of these all or predominantly Negro schools, there are more classes or divisions than there are classrooms, and as a result, these pupils often merely put in time at the school building and are not given academic instruction.

4. The Board of Education of the City of Chicago pursues a policy of assignment of teachers and administrative and clerical personnel to the various schools so that Negro teachers and administrative and clerical personnel are assigned almost exclusively to all or predominantly Negro schools and school districts.

5. The Board of Education of the City of Chicago has tenaciously clung to a so-called neighborhood school system of assignment of pupils to schools, in the face of and in spite of its knowledge that as a result of official and quasi-official action and inaction, and concerted action on the part of the Chicago Real Estate Board, and others, Negroes have been purposely contained within well-defined ghettoes, which have been extended only on the peripheries thereof by reason of concerted action of said Chicago Real Estate Board, and also by reason of said official action and inaction.

6. In so-called "changing" or "transitional" neighborhoods; i.e., those which were all-white and in which Negroes began to move, the board has willfully failed to maintain quality education, thereby greatly accelerating and causing the exodus of white families therefrom and thereby further creating more segregated schools. Also, in these areas, the board established "neutral zones," permitting white children who lived in said areas to attend all or predominantly white schools rather than the all or predominantly Negro school they would otherwise attend.

7. In those schools which are all or predominantly white, there are many vacant and underutilized classrooms, whereas the all or predominantly Negro schools are overcrowded. The present superintendent of schools, after numerous requests by the board reported that there were substantially no vacant classrooms, and submitted a report to the board which is attached hereto as annex B. In connection with the issue of vacant classrooms, a student report had been previously made by Dr. Hal Baron, of the Chicago Urban League, and a copy thereof submitted to the board showing an estimate that there were at that time several hundred vacant classrooms in the Chicago public school system. A copy of this report is attached hereto as annex C. Subsequently, the present superintendent submitted another report on the same subject, admitting the existence of vacant classrooms, a copy of which report is attached hereto as annex D.

8. An investigation of all the foregoing reports and findings will show that substantially all of the vacant classrooms are in the all or predominantly white schools, whereas the classrooms in the all or predominantly Negro schools remain very seriously overcrowded.

9. In spite of the foregoing facts, the Chicago Board of Education has unnecessarily expended millions of dollars for "mobile" classrooms (most of which appear to be permanent installations), and for new school construction in Negro residential areas in such a manner as to increase rather than decrease the incidence of racial segregation. Much of this has been and is still being done in spite of a recent State law which proscribes such conduct.

10. The board and its superintendent, in constructing and designating schools as "upper grade centers," in its "feeder" system of assignment of students to "upper grade centers" and high schools; in establishing and in changing, and in failing to change attendance area boundaries; in establishing branches of certain high schools in certain elementary school buildings, and in establishing branches of certain elementary schools in certain high school buildings; and in designating certain elementary schools as branches of certain other elementray schools; has done so in such a manner, and with the result that, the Chicago public schools are more segregated now than ever before.

11. In August 1963, as a result of an out-of-court settlement of a lawsuit then pending in the U.S. district court in Chicago (*Webb et al.* v. *Board of Education of the City of Chicago et al.*, No. 61-C-1569, U.S.D.C., northern district of Illinois, eastern division) which suit charged racial segregation in the Chicago school system, the board appointed a panel of distinguished educators and sociologists to study the system with particular reference to matters of alleged racial segregation in the system and the inequities resulting therefrom. Said panel was headed by Dr. Philip M. Hauser, professor and chairman, Department of Sociology, University of Chicago, and had as its other members Sterling R. McMurrin, professor of philosophy, University of Utah, and former U.S. Commissioner of Education; James M. Nabrit, Jr., president of Howard University; William R. Odell, professor of education, Stanford University; and Lester W. Nelson, formerly associate program director of the Education Division of the Ford Foundation.

Said panel, on March 31, 1964, submitted its report and recommendations to the board, and the central theme of the report and its recommendations was that the board and its superintendent should act immediately to eliminate racial regregation in the Chicago public schools and to eliminate the inequalities that said panel found to exist in said system. To this date, the board has failed to carry into effect any of the recommendations of that panel, and the incidence of racial segregation in said system has increased since that time, as shown by annex A hereinabove referred to. A copy of the report of that panel is attached hereto as annex E.

12. While the aforesaid panel was considering the matters relating to racial segregation in the Chicago school system, the Board appointed Prof. Robert J. Havighurst, of the University of Chicago, as head of a committee to direct a survey of the quality of education in the Chicago public school system. The report of that committee was submitted to the board on November 12, 1964, and its central theme was that the board and its general superintendent should act immediately to eliminate racial segregation in the Chicago public school system, as a means toward improving the quality of education in said system. To this date, the board has failed to carry into effect any of the recommendations of that committee, and the overall quality of education being offered by the Chicago public school system is growing increasingly worse, due largely to the failure of the board to act to eliminate racial segregation. A copy of the report of that committee is attached hereto as annex F.

13. The Chicago Board of Education maintains the Washburne Trade School from which Negro pupils are almost entirely excluded as a result of an agreement between the board and trade unions in the city of Chicago that only students with apprentice cards from one of the trade unions will be admitted to said school. The trade unions flagrantly practice racial discrimination against Negroes, and the board is fully aware of this. In fact, a Federal court in 1963 found that racial segregation was being practiced in connection with that program, and yet, the practice remains unchanged to this date. (See *Todd* v. *Joint Apprenticeship Committee, etc.*, No. 63-C-1739, U.S.D.C., Northern District of Illinois, Eastern Division.)

14. At the Dunbar Trade School, which is all Negro in its enrollment, the training is in trades which are either becoming obsolete as a result of automation

or rapidly changing their techniques, these changes not being reflected in the curriculum at Dunbar, as indicated by the antiquated printing presses and the limited hand-set printing method being taught there.

15. In divers other aspects of the operation of the Chicago public school system, the board and its general superintendent have acted and are acting in such a manner as to discriminate against Negro students and to exclude them from the programs and activities carried on by said board and which receive substantial Federal assistance.

We hereby request that your committee investigate these matters with a view toward proposing further legislation to correct these abuses, toward withholding Federal funds, or whatever other appropriate action may be indicated and certainly necessary.

Thank you again for your cooperation and for the courtesies extended to us by you and your staff during our visit to Washington.

Yours very truly,

ALBERT BROOKS,
President, Chicago Branch, NAACP.
NATHANIEL WILLIS,
Chairman, Education Committee, Chicago Branch, NAACP.
SYDNEY FINLEY,
Field Director, National Office, NAACP.

Mr. FINLEY. May I take this opportunity to introduce two people to be used as resource personnel. On my right is Mr. Meyer Weinberg, a recent participant in the White House Conference on Education, editor of Integrated Education, a magazine published by the well-known group, Teachers for Integrated Schools, and who also is a teacher of history.

Chairman POWELL. May I interrupt? Is Mr. Weinberg the coauthor of the report on official segregation in the Chicago public schools?

Mr. WEINBERG. Yes, sir.

Chairman POWELL. Without objection, Mr. Weinberg, the report is included in the record.

(The report follows:)

A REPORT ON OFFICIAL SEGREGATION IN CHICAGO PUBLIC SCHOOLS

(By Coordinating Council of Community Organizations, Meyer Weinberg and Faith Rich, Cochairman, Research Committee)

The Chicago Board of Education has deliberately segregated the city's public school system. This can be seen from an examination of (1) the general pattern of use of the community's educational resources; (2) gerrymandering of school attendance boundaries; (3) legislative lobbying by the board against State legislation that could force it to reduce or prevent segregation; and (4) maintenance of an apprenticeship training program that excludes all but a tiny, token Negro representation.

GENERAL PATTERNS

Over a period of years the board of education response to the shifting population was such that by 1950, there was overcrowding in areas where there were Negroes, and empty rooms where there were whites. The school board could have opened the underutilized white schools in order to relieve the overcrowed Negro schools Their refusal to do so was deliberate. After refusing, the board then claimed it had no alternative except to build new segregated schools in the Negro ghetto. Clearly it created that alternative and then proceeded to "select" it.

The school board could have chosen the first alternative; i.e., fill up the white schools, but it did not. The Chicago school board deliberately chose to segregate.

But was there much space available in the white schools?

Table 1, "Fifty Years of Enrollment in the Chicago Public Schools, 1914–64," sums up part of the story. It shows that enrollment rose from 292,823 in 1914 to a high of 472,789 in 1932. It shows further that after 1932 enrollment fell to a low of 344,905 in 1946 and rose to a new high of 520,955 in 1963. In other words, today's total enrollment is only somewhat larger than it was in 1932. That enrollment, moreover, is now about one-half Negro whereas in 1932 it was approximately one-tenth.

Furthermore, as is well known, there was a net exodus of 424,345 whites from Chicago between 1930 and 1960. A considerable number of the remaining whites sent their children to the expanding parochial schools.

The white population to be educated in Chicago's public schools is much smaller now than in 1932. The school board, however, chose to allocate to this declining group exclusive and ample schools. As the U.S. Commission on Civil Rights staff commented in December 1963: "The tenacity with which Chicago confined its Negro pupils to neighborhood schools, and refused to rezone attendance areas on the fringes of the concentrated Negro residential areas or to relax it's no-transfer-from-zone-of-residence rules is well known." [1]

For a generation, the city's Negro children were burdened with an extra handicap, double-shift classes. As map 2, "Double Shift, Accumulative Burden, 1950–61," shows by far the greatest sufferers from double shift were Negroes. Once having decided to exclude Negro children from the emptying white schools, the school board chose to reduce the amount of schooling they could receive even in Negro schools. A number of Negro children who were thus penalized during the years 1950–61 are now themselves parents. Is it any wonder that their fresh and bitter memories make them determined to see that their children receive a good education?

Map 3, "Racial Patterns of School Mobiles," demonstrates that the school board used mobiles as it used double shifts—to contain Negro children in ghetto schools.

The school board has refused to direct the general superintendent to submit an accurate definitive room count. The latest version of a room count was made by the general superintendent in November 1964. How vague and indecisive it was can be judged from the following colloquy between school board members, Warren Bacon, Bernard Friedman, Cyrus H. Adams III, and General Superintendent Benjamin C. Willis:

Bacon: "In the light of the figures released Tuesday, some 703 vacant classrooms are available."

Adams: "There are likely to be about 93.5 classrooms vacant * * *"

Friedman: "Are there 703 vacant classrooms available to students in the city, Dr. Willis?"

Willis: "I think there are 275, approximately." [2]

This vain effort joined a long train of similar vain efforts made during the preceding 3 years. A reasonable interpretation of these events is that the school board does not wish to reveal the extent of underutilization which was made inevitable by its exclusionist policies.

By the same token the relative overcrowding of Negro schools was also made inevitable. The effects of that choice—less learning, poorer conditions of space and equipment, and impoverished curriculum, and more—were as inevitable. The school board has chosen to use the entire community's resources for the greater benefit of only one part of the community. This it has done consciously and deliberately.

GERRYMANDERING

According to Webster's New International Dictionary, 2d edition, the word "gerrymander" means "to divide into * * * districts * * * in an unnatural and unfair way with a view to give * * * an advantage * * * or for some other improper purpose. Hence, to manipulate * * * in order to gain an unfair advantage * * *." A school gerrymander means the arrangement of school attendance boundaries to include children of one type who receive a special advantage and exclude others who thereby are deprived of that advantage.

Mr. Anthony Celebrezze, Secretary of the U.S. Department of Health, Education, and Welfare, has testified: "Basically, racial imbalance in any community comes because of school district lines." [3] There is more than a suggestion in this statement by a former mayor of Cleveland that the hand that draws attendance boundary lines may largely determine the amount of school segregation. When asked by a Congressman whether Federal funds could be cut off from a school board that created racial imbalance, Secretary Celebrezze replied: "If we come to the conclusion after due investigation, after due hearings, that they are using (attendance) district boundaries as a device to promote segregation, and we have the law or the authority, which we probably don't have now, then we would have a right to cut off funds."[4] (The Secretary was testifying on the bill that became the Civil Rights Act of 1964. Title VI gives the Secretary such authority.)

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[1] U.S. Commission on Civil Rights, 1963 staff reports, "Public Education" (Washington, D.C.: Government Printing Office, 1964), p. 85.

[2] Private transcript of board of education meeting, Nov. 12, 1964.

[3] U.S. Congress, 88th, 1st sess., House of Representatives, Committee on the Judiciary, Subcommittee No. 5, hearings, "Civil rights," pts. 1–4, Serial No. 4 (Washington D.C.: Government Printing Office, 1963–64), II, p. 1514.

In November 1963, the Illinois State Superintendent of Public Instruction, Ray Page, wrote:

> "There is no law in this State which requires that a school (attendance system), developed on the neighborhood school plan, *honestly and conscientiously constructed with no intention or purpose to segregate the races*, must be destroyed or abandoned because the resulting effect is to have a racial imbalance in certain schools where the district is populated almost entirely by Negroes or whites."[5] [Italic added.]

Implicitly, Mr. Page seems to say that racial gerrymandering would not qualify as an "honest and conscientious" system. Inferred under Illinois State law, in case of demonstrated gerrymandering, the State superintendent, would have to refuse State aid to the school board involved. In fact, however, he has not.

The end result of large-scale gerrymandering is to make the ghetto school a trap for Negro children. Stigmatized socially, and deliberately deprived by the school board, Negro schools increasingly fail to serve the needs of children. Classes are permitted to grow larger, the teaching staff becomes less stable, learning achievement becomes less evident. Any effort to permit children to escape such a trap is met by the cry of "neighborhood school." What may have been perfectly innocuous boundary lines years ago, now become bars to prevent escape. The failure to redistrict ghetto schools is deliberate to restrict educational opportunity. It is in the sense used here, gerrymandering.

In section 1, above, the contention was made that the entire school system is, in a sense, gerrymandered. Let us now examine two specific current cases of gerrymandering. This examination is followed by a listing of 20 additional cases. We present these as worthy of further study. Because of the press of time we have not been able to describe them in detail.

(*a*) *The Riverdale gerrymander*

The Riverdale Elementary School, 13233 South Prairie St., was built in 1937 in a very sparsely populated area of the city. Attended exclusively by white children from the immediate neighborhood, its graduates went to Fenger High School, some 4 miles to the north; no nearer high school being then available. Riverdale, rarely enrolling more than 100 or so students, was classified as a branch of white Pullman Elementary school, a "feeder" to white Fenger High School.

During World War II, Altgeld Gardens, an extensive all-Negro public housing project, was built adjacent to the Riverdale district. Between 1945 and 1960, four schools were built within the confines of the project; all project children attended these schools.

They are: Carver Primary School, 909 East 132d St., built in 1945; Carver High School, (and later also Upper Grade Center), 801 East 133d St., built in 1949; Newton Elementary School, 901 East 133d St., built in 1955; Aldridge Elementary School, 630 East 131st St., built in 1960.

After 1945 and 1949, the board of education initiated two attendance districting principles in the general region which are still in force today.

(1) No part of the Altgeld project is included in the attendance area of Riverdale school, and (2) although Riverdale school is located five blocks from Carver High School, its graduates attend Fenger High School, 3 miles away.

The mechanism whereby such an extraordinary procedure occurs is that Riverdale is a branch of 98.4 white Scanlan, 4 miles away, a feeder into Fenger. Thus, Riverdale school has been a clear case of gerrymandering since this time.

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[4] Ibid., p. 1515.

[5] Decision, in the matter of petition of certain residents of School District 14 of the city of Chicago, complaining of segregation in the Chicago public school system, Nov. 19, 1963, p. 11.

The motive, racial segregation, is plain. In the 1964 school board racial count, the schools under discussion showed the following percentage of Negro pupils:

Riverdale	0
Fenger	4.8
Carver UGC	99.0
Carver Primary	100.0
Aldridge	100.0
Newton	100.0
Carver High	100.0

When Carver High was built, in 1949, a few white families lived interspersed outside the Altgeld project. The school board took two actions to segregate racially the children of these families. First, a neutral area was created, to cover the whole area, excluding Altgeld Gardens. Persons living in the neutral area could send the children to Riverdale or Carver Primary. Needless to say, no Negroes ended up in Riverdale and no whites ended up in Carver. The neutral area was neutral in every respect but race. Second, on September 6, 1949, the school board created a neutral area for Fenger High School. All persons living in the general area, again excluding Altgeld Gardens, could use Carver High or Fenger. Apparently without exception, Negroes in the neutral area chose Carver and whites, Fenger. Thus, Carver High School attendance district was in effect completely encircled by Fenger's district.

In 1955 an official publication of the school board misrepresented the gerrymander on a map.[6] (1) In August of that year, General Superintendent Willis distributed a map showing Riverdale school as a feeder to Carver High School. The map gave no indication that Riverdale was a feeder of Fenger.

When were the neutral areas abolished? It is difficult to say although evidence points to 1958. By that year a number of housing trailers had been removed from the area slightly north of Altgeld Gardens. These had been the principal source of Negro families in the neutral areas. As a result of the removal, segregation could be effected without neutral areas; Fenger was redistricted accordingly.

On July 8, 1964, Superintendent Willis presented a proposal to the school board regarding the attendance boundaries.[7] The changes contemplated: (*a*) Requiring Riverdale seventh and eighth grade students to attend Carver Upper Grade Center; (*b*) placement of the Riverdale-Altgeld Gardens area within Carver High School district; thus making Riverdale a feeder to Carver instead of Fenger; and (*c*) placing within the Riverdale attendance district the new Negro-populated Golden Gates development, adjacent to Riverdale and Altgeld Gardens.

The changes were significant. The Riverdale-Scanlan-Fenger gerrymander would have been ended and Riverdale would gradually cease being a white preserve.

But the changes never occured. On July 8, 1964, the day the proposal was made, two board members moved to defer the matter until the following meeting. On August 12, 1964, the matter was again deferred. On August 26, a third deferral was obtained. On September 9, 1964, the item was withdrawn at the request of the general superintendent.

On October 14, 1964, Superintendent Willis made a new proposal which was referred immediately to a committee of the board. It was adopted by the board on October 27, 1964.[8] The new proposal once again designated Riverdale as a branch of Scanlan, and so Riverdale graduates are still eligible to enter Fenger but not Carver High. In addition, part of the Golden Gate development was districted into Riverdale. Resident report however that not a single Negro child was enrolled in Riverdale during 1964–65.

Riverdale is a stark symbol of deliberate segregation and educational deprivation. During the years of the most severe overcrowding in the Altgeld schools, with double shifts in the project schools, Riverdale suffered no overcrowding. It never had double shifts. In 1964, class size, according to Superintendent Willis, was as follows in the area's schools:[9]

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[6] See Educational Progress, September 1955.

[7] Proceedings of the Chicago Board of Education, July 8, 1964, pp. 67–68; Report No. 72364–C.

[8] Proceedings of the Chicago Board of Education, Oct. 27, 1964; Report No. 72594.

[9] Proceedings of the Chicago Board of Education, May 27, 1964, p. 2390.

Aldridge	33.1
Carver Primary	32.8
Carver U.G.C	32.7
Newton	32.7
Riverdale	16.8

One should recall our earlier definition of a gerrymander: "To manipulate, * * * in order to gain an unfair advantage." Such manipulation is obvious in this case. It cannot be charged to geographical or housing factors. The board used its public authority to effect racial discrimination.

(*b*) *A Westside story*

In 1962, the board of education opened Orr High School unit in the Orr Elementary School building, 1040 North Keeler Avenue. The unit shared the principal of Marshall High School. In 1964 it received its own principal. The unit was not a branch of any other high school although the school board listed it in a manner of a branch (e.g., in the documents relating to the racial head count). A curious feature of the unit was the fact that while physically it was in administrative district 4, it was listed in school board sources as in district 8 at times and in district 4 at other times.

Indications are strong that the new school was started, in large part, as a white school to please parents of white children then enrolled in a predominantly Negro Marshall. Thus, the attendance area of Orr unit was drawn to include, as feeders, Morse, Cameron, Ryerson Elementary Schools. These were the last three white feeder schools for Marshall which was now fated to become a completely black school fed by completely black elementary schools. If the aim had been to relieve the overcrowding at Marshall, which was extreme, while Orr unit was underutilized, both integration and efficient space utilization could have been served by shifting certain Negro feeder schools from Marshall to Orr. Distance was not a factor.

In June 1963, Gov. Otto J. Kerner, of Illinois, signed the Armstrong bill. It required that school boards locate school buildings so as to avoid segregation, and stipulated that school boards must periodically redistrict attendance areas so as to minimize segregation.

On July 10, 1963, the Chicago school board adopted board report No. 71354–E, establishing the gerrymandered Orr attendance district described above. On July 30, 1963, the author of the Armstrong Act testified before the school board and warned that straightforward and decisive action against segregated site locations and districting was required by the act.

On May 27, 1964, Superintendent Willis presented a series of proposals to the board; all were included in Report No. 72221–B. It was deferred until June 10, 1964, and then adopted. He reported that enrollment could not be expanded any further at Tuley (1.2 percent Negro), Crane (91.1 percent), and Marshall (93.6 percent). Room was available at Austin (0.0 percent Negro) and Orr (1.8 percent Negro).

Good administrative practice suggests that in the light of this reallocation of space could easily be combined with increased integration. Crane and Marshall were both Negro-segregated and overcrowded. Two proposals were related to Crane. Six students, presumably white, were permitted to attend Tuley High School even though they lived just on the Crane side of the Tuley-Crane boundary. If, as we presume, these students were white, then the move decreased integration.

A ninth-grade branch, capacity of 500, was created at Jackson Elementary (5.5 percent Negro). This relieved Crane and seemed to increase integration.

How is integration affected by the Jackson branch? In October 1964, it enrolled 338 Negroes and 40 whites, or 89.4 percent Negro. Meanwhile, in the same building, in the elementary classrooms, only 5.5 percent of the students were Negro. Observers report that no integration at all occurred in practice between Jackson's elementary and high school children. They arrived and left at different times; ate at separate times; played at separate times. They had nothing to do with each other.

With new and virtually all-Negro Faraday Elementary School about to open directly across the street from Marshall, 40 classrooms in Marshall that had been used for the waiting elementary students were now to be returned for high school use. (In October 1964, accordingly, enrollment rose in Marshall from 4,490 to 5,066. That same month, the racial headcount showed Marshall to be 97.6 percent Negro—up 4 percentage points in a year). During the school year 1963–64, nearby Orr enrolled 501 white students. Perhaps as many as 250 came from former Marshall feeder schools. Their absence from Marshall was crucial in making this a virtually all-Negro school.

The Willis proposals of May 27, 1964, also provided that two Marshall feeder schools, Marconi (40 percent Negro) and Hefferan (94.1 percent Negro) be made into feeders for Austin High School (0 percent Negro). Austin was to receive some 130 students from these new feeders in September 1964. This would increase integration. Out of a total enrollment of 3,195 somewhat fewer than 130 would be Negro. Needless to say, Marshall became even more segregated by the loss of Marconi.

Superintendent Willis also proposed two changes in Orr's boundaries. Lowell, a feeder for Tuley High School, was made a feeder for Orr. Lowell was 0.9 percent Negro, and a few blocks to the south—mostly nonresidential park property—were added to the Orr attendance area. "These changes," Superintendent Willis told the school board, "could increase the ratio of Negro pupils at Orr, which is presently very small."[9] As a matter of fact, however, a grand total of seven Negro students was added as a result of these changes. In 1963, nine of a total enrollment of 511 were Negro; in 1964, it was 16 out of 644. Such tokenism does not merit the name "integration."

In the superintendent's report of October 24, 1963 ("Use of facilities, high school buildings") Orr had been reported operating at 18.2 percent under capacity. Here was an excellent opportunity to use classroom space and to integrate at the same time by switching a Marshall feeder school to Orr. Tilton, 57.3 percent Negro, would have been a judicious choice.

Instead, as we have seen, Lowell (0.9 percent Negro), a Tuley feeder, was made into an Orr feeder. Ostensibly, Lowell was chosen, according to Superintendent Willis—"to reduce overcrowding at * * * Tuley * * *"[10] This aim could have been accomplished more easily by redistricting Tuley's easternmost feeder to Wells High School; both Tuley and Wells are in the same district. (In 1963, Wells was only 10.9 percent over capacity and 11.8 percent in 1964. In 1964, Tuley was 114.6 percent over capacity.) Had this been done, Lowell could have remained with Tuley and an integrated or Negro Marshall feeder could have been districted into Orr.

It may be noted in conclusion that the 1964 school board budget provided for a large-scale addition to Orr. By 1966 or thereabouts, Orr will be a full 4-year high school. It will continue to be the pivot of planned segregation of the West Side and near Northwest Side of Chicago. The board must be challenged for its persistent violation of the Illinois Armstrong Act and the U.S. Civil Rights Act of 1964.

(c) *Twenty cases for further study*

1. Austin High School, 231 North Pine Avenue (5440 west), school district 4.

Was Austin partially demolished in 1959 and later districted to keep Negroes out? The only explanation given in the proceedings (June 24, 1959, p. 2080) of the board of education for the demolition was that there was enough room left in the remainder to accommodate the students. Yet shortly afterwards a branch was opened in an elementary school. For some years the contiguous Negro high school, Marshall, has been crowded far beyond the city average; yet Austin, with its branch, remained at capacity.

2. Prosser Vocational High School, 2148 North Long Avenue (5400 west), school district 4.

Was Prosser built to segregate? Earlier there had been only one West Side vocational school, Manley, 2935 West Polk Street (800 south), which of necessity either was or would have become integrated. Now there is white Prosser, opened in 1959; and Negro Cregier, 1829 West Grenshaw (1120 south), renovated from an elementary school. When Prosser was budgeted, its location was not given and the National Association for the Advancement of Colored People had some difficulty finding out where it was. They protested in their testimony at the budget hearing that unless carefully districted, it would certainly be segregated. It has tool and die apprentices; Cregier has none, Prosser is much less crowded than Cregier.

3. Waller High School, 2039 North Orchard Street (700 west), school district 7.

Why is this high school about five times as crowded as Wells, 936 North Ashland (1600 west) to which some of its feeder schools were formerly districted? Is Wells now being resegregated white and Waller, Negro?

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[10] Ibid.

4. Jenner, 1009 North Cleveland Avenue (400 west), school district 7.

Why were two additions made to create this oversized elementary school serving a nearly all Negro public housing project when the board of education owned nearby sites and was even renting out a school building for private school use?

5. Manley, kg.–6, and Upper Grade Center, 2935 West Polk Street (800 south), school district 8.

Why was Manley Vocational High School converted into an oversized elementary school with 2,500 pupils under 1 principal?

6. Sumner, kg.–8, 715 South Kildare Avenue (4300 west), school district 8.

At this crowded elementary school on the expanding edge of the Negro ghetto, 26 mobile units have been on the playground for 3 years. The next school west, May, at 512 South LaVergne Avenue (500 west), probably nearly all white in 1962, has an ample campus on which the mobiles could easily have been accommodated for integration. Here, where the Upper Grade Center could have been formed to reduce crowding as well as for education purposes, the school remains kg.–8.

7. McKinley Upper Grade Center, 2040 West Adams Street (200 south), school district 9.

This elementary school, formerly a high school, was converted to the first upper grade center in 1954. In 1964, McKinley was 96.8 percent Negro. It has probably been Negro from its inception as a center. Immediately north of McKinley and its feeder schools are white Tuley High School, 1313 North Claremont Avenue (2325 west), school district 6, and its white feeder schools. Tuley is crowded even with two branches. The upper grade centers were established partly to relieve crowding. Therefore the nearby white schools, not being crowded, were not included in McKinley Upper Grade Center. But had McKinley remained a high school it could have been redistricted with Tuley. Negro Emerson Branch of McKinley, 1700 West Walnut Street (230 north), is less than a mile from white Otis, 525 North Armour Street (1550 west), and from white Talcott, 1840, West Ohio Street, (600 north).

8. Burns, kg.–8, 2524 South Central Park Avenue (3600 west), school district 10.

From within the former boundary lines of Burns Elementary School have emerged in 1962 and 1964, two Negro elementary schools. Crown, 2128 South St. Louis Avenue (3500 west) and Paderewski, 2221 South Lawndale Avenue (3700 west). Burns changed from 60.5 percent to 19.5 percent Negro from 1963 to 1964. Many questions come to mind about this process of new building. Were Crown and Paderewski built for an illegally high housing density due to failure to enforce the building code? Why were there practically no white children in them? Why did they open more crowded than Burns?

9. Hearst, kg.–8, 4640 South Lamon Avenue (4900 west), school district 10.

This is a school serving a public housing project, LeClaire Courts, built on vacant land in a white area. It opened in 1950 with 90 percent white occupants. It had an extension in 1953. By 1962, LeClaire Courts was 90 percent Negro, the extension, 81 percent Negro.

Although Hearst School remained integrated (only 62 percent Negro in 1964) it suffered the fate of its Negro rather than its white component. The four white public housing projects in Chicago Lawndale Gardens, Lathrop Homes, Trumbull Park Homes, and Bridgeport Homes, never had crowded schools. But nearly all the Negro projects (and by 1964, 92 percent of those in Chicago public housing projects were Negro) had crowded schools, most of them on double shift at one time or another; and very large schools, often isolated frm the surrounding community. Hearst School was on a double shift in 1957 and 1958 and in 1963 had an average class size of 43.3 pupils per classroom.

10. Baum Branch of Twain, kg.–6, 4950 South LaPorte Avenue (4934 west), district 10.

Within a few blocks of Hearst a seven-room branch of Twain, 5131 South Linder Avenue (5440 west), was built and opened in 1962. Baum Branch has no Negro pupils. It seems to have been built small to avoid taking any pupils from Hearst which was also crowded, as well as its parent school, Twain. Instead of making Baum an integrated school, it was built as a small branch; and another addition was built on Hearst.

11. Pershing, kg.–6, 3113 South Rhodes Avenue (500 east), school district 11.

This school seems to point, not to a racial, but to a class gerrymander. At the same time the insignificant amount of school integration produced by the urban renewal effort and money is disappointing.

When large financial interests built Lake Meadows and Prairie Shores on publicly cleared land, the board of education put up a new small school, Pershing, with 12 classrooms. A block away, Douglas, 3200 South Calumet Avenue (317 east), had less than 35 per classroom in 1958 when Pershing opened. By 1963, Douglas had only 24.2 per classroom, with 1,729 pupils in 71 rooms. If, instead of building Pershing, the board of education had split up Douglas into two moderate-sized schools for the benefit of all the pupils and had made the few children of Lake Meadows and Prairie Shores a part of the surrounding community, democracy and equality of educational opportunity might have been advanced. While Pershing is technically integrated if the 90/10 formula is followed, since it is 11.4 percent white, the extent of integration is small. On October 7, 1964, there were present 31 white pupils, 233 Negro, and 9 others. Douglas had 2 white pupils; 1,805 Negro.

12. Holden Branch of Tilden High School, 1104 West 31st Street (3100 south), school district 21.

Holden Branch was once a branch of Englewood High School, 6201 South Stewart Avenue (400 west). When Englewood became Negro, Holden became a branch of white Kelly High School, 4136 South California Avenue, (2800 west). In 1964, for reasons unknown to us, it was made a branch of Tilden High School, 4747 South Union Avenue (700 west). Why was not Holden made a branch of Negro Phillips High School, 244 East Pershing Road (3900 south), the nearest high school to it? This would have been especially appropriate in 1964 since Abbott, the branch of Phillips, 3630 South Wells Street (200 west) was underpopulated, whereas Holden Branch was crowded with 503 students in instructional areas with a capacity of only 325.

13. Beethoven, kg.–6, 25 West 47th Street (4700 south), school district 13.

This segregated Negro school opened in 1962 crowded and overflowing into Taylor Homes public housing project apartments needed for housing. In 1964 it still had 2,478 pupils under 1 principal, including 518 in 12 units of the Chicago Housing Authority apartments. Its upper grades go to upper grade centers eastward into the Negro ghetto. West of Beethoven is white school, Graham, 4436 South Union Avenue (700 west), kg.–8; and immediately west is Tilden High School, 4747 South Union Avenue (700 west), 40.2 percent Negro in 1964.

14. Harlan High School, 9652 South Michigan Avenue (100 east), school district 16.

This high school opened in 1958 and 1960, itself integrated, but thus resegregating Calumet High School, 8131 South May Street (100 west), and Fenger High School, 11220 South Wallace Street (600 west), white. Even at its opening, although it was itself integrated it caused a net increase in segregation. Calumet meanwhile became reintegrated in another direction; but Fenger remains segregated white to the present time, while Harlan itself became 90 percent Negro in 1964. The Chicago Board of Education built Calumet in a U-shape in anticipation of population increases. An addition to Calumet instead of Harlan would have been less expensive and would have increased integration.

15. Oglesby, kg–8, 7646 South Green Street (832 west), school district 16.

By refusal to redistrict or to transfer on an equitable basis this school was made into a trap on the edge of the Negro ghetto. The next school west and south of it is Cook, 8150 South Bishop Street (1550 west). In 1962, Cook, as a receiving school in the permissive transfer program, could not receive more students than would leave it at 30 per classroom; Oglesby, as a crowded sending school, could not send students until it rose above 40 per classroom. By 1963, Cook, 3.1 percent Negro, had 25.7 pupils per classroom; Oglesby, 89.3 percent Negro, 44.1 pupils per classroom. In 1964, Cook was 9.7 percent Negro, 29 per classroom; Oglesby, 96.8 percent Negro, 46.3 per classroom including 10 mobile units.

16. Morgan Park High School Branches Clissold and Shoop, school district 18: Clissold, 2350 West 110th Place (11000 south) kg–8; Shoop, 1460 West 112th Street (11200 south) kg–8.

Morgan Park High School, 1744 West Pryor Avenue (11200 south, 1650 west), has long been physically integrated in its student body. In 1964, it was 31.3 percent Negro. Near it is an integrated elementary school, Esmond, 1865 West Montvale Avenue (11300 south), which was once a branch of Morgan Park High School. For some years now, however, Morgan Park has had two completely segregated branches: Clissold, with 311 white students and Shoop, with 108 Negro students. The elementary part of Clissold has 31.6 pupils per classroom; Shoop, 37.2.

17. Whistler, kg–6, 11513 South Ada Street (1326 west), school district 18.

Whistler opened in 1958. In 1964, including its branch of mobile units, Whistler, 100 per cent Negro, had 1,457 pupils, at 43.8 per classroom in the main building.

West Pullman Branch, 100 percent white, built in 1953 with an addition in 1957, 12151 South Racine Avenue (1200 west), kg–2, had in 1964, 158 pupils at 32.7 per classroom.

The southern boundary of Whistler ends at the end of the uninhabited area south of the Negro ghetto; the northern boundary of West Pullman Branch begins at that point.

18. Chalmers, kg–6, 2745 West Roosevelt Road (1200 south), school district 19.

The recent history of this school might be studied to learn whether the neighborhood school or race is decisive for districting.

During the 4 school years 1956 through 1959, the old Chalmers on the same site as the above, was on double shift while about four blocks away from it in the same North Lawndale community area, even in the same census tract, parted only by a street which ran through the districts of several other nearby schools, was a white school, Plamondon, which probably had room enough to have taken Chalmers off shift and to have kept it off shift. Plamondon, kg–8, 1525 South Washtenaw Avenue (2700 west), in 1963 had 391 pupils. By that time it was 9.4 percent Negro; Chalmers, replaced by a new building in 1960, was 95.3 percent Negro. The two schools were not redistricted. The upper grades of Chalmers now attend a Negro upper grade center.

In 1952 Chalmers and Plamondon had the same principal. At issue also is the question of how much room Plamondon did have. As it is still standing, this could be ascertained.

19. Hammond kg–6. 28.9 West 21st Place (2100 south), school district 19

Hammond is a small white school with no Negro pupils. Prior to 1961 when it was partially demolished, it was larger than nearby 100 percent Negro Pope, 1852 South Albany Avenue (3100 west). Pope, like most of the schools in North Lawndale, was crowded. For 6 years from 1956 through 1961, it was on double shift. Yet it was never redistricted with Hammond which had only a few children in a larger building.

20. Spry Upper Grade Center, 2400 South Marshall Boulevard (2883 west), school district 19.

In the same building is Spry, kg–6. The kg–6 grades of Spry are composed almost exclusively of white pupils. Of 669 pupils in 1964, 0.9 percent or 5 pupils were Negro and present on the day of the racial count. In Spry Upper Grade Center, however, 62.9 percent of 621 enrolled were Negro.

Spry is one of the few racially integrated upper grade centers. But the question must be raised whether a much greater number of pupils could not have been, and cannot now be, integrated than under the present arrangements. McCormick, 2712 South Sawyer Avenue (3230 west), kg–8, has no Negro pupils and does not send its upper grades to Spry. Only two white schools and only parts of two Negro schools participate in the integrated center.

Could not mobiles be placed on the Hammond campus and some paired arrangements worked out with Pope? Perhaps there should be an educational park on the extensive Harrison High School campus, 2850 West 24th Street Boulevard (2400 south), which is near Spry.

LEGISLATIVE LOBBYING

Repeatedly, the Chicago Board of Education has asserted that school segregation is merely a reflection of residential segregation. A more accurate statement would be that school organization may be affected by residential segregation. Precisely how the schools are affected is, in part, a matter that is up to the schools. Nor is this all. The schools may—indeed, should—work for the reduction of residential segregation. It goes without saying that the schools ought to welcome assistance in freeing themselves from the constrictions of segregation.

California is a good example. In the fall of 1964 a statewide referendum was to be held on whether or not to discontinue all State laws forbidding discrimination in the sale of residential property. Were the referendum to pass, residential segregation could be expected to increase and thus further complicate the State government's efforts to achieve school integration. The State commission on equal opportunities in education wrote to all school boards in the state: "The State board of education's policy, which is directed toward the elimination of existing de facto school segregation and curbing any tendency toward its growth, will be more difficult to translate into practice if the intiative is adopted."[11] This was a responsible exercise of a public obligation. State education authorities put their weight where it would count. That the measure passed anyway does not change matters.

The Chicago School Board, however, did the very opposite. On March 25, 1959, by a vote of eight to one, it opposed a bill to become the Armstrong Act[12] which would have required all school boards in the State to redistrict attendance zones periodically to reduce segregation.[13] One might think a local school board would welcome such a concrete measure. Chicago school authorities, on the contrary, did not even remain neutral, which would have been consistent with the board's theory that school segregation just happens to happen and thus need not be helped along. Instead, it did legislative battle against a potentially beneficial measure.

The school board did this officially and, of course, consciously. It thus acted irresponsibly with respect to its obligation toward all children.

This same irresponsibility can be seen in the repeated failure of the Chicago Board of Education to support the passage of legislation that would ease the pressures of school segregation. Such has been the case with open housing or fair employment practice bills. The legislative theory of the Chicago School Board appears to be: Oppose it if it is for school integration, be neutral if it is for equal housing or employment opportunities.

WASHBURNE

Over a period of years an apprentice-training program that is racially discriminatory has been operated by the Chicago School Board. In October 1961, a representative of the school board testified before a subcommittee of the U.S. House Committee on Education and Labor and held—as the present general superintendent still holds—that the board had no control over the selection of apprentices. Representative Roman C. Pucinski responded: "I just cannot understand how you can state to this committee that you have no control over this program. There are three parties involved in this program and you are one of those three."[14] In 1962 a report to the U.S. Commission on Civil Rights stated: "The surrender of a public function to private organizations in this manner is difficult to justify."[15] In 1964, the Hauser report stated: "The panel finds it shocking that some unions in Chicago do not admit Negroes as apprentices and that the public school system cooperates with these unions in providing apprenticeship training programs for them."[16] On January 26, 1965, School Board Vice President Thomas J. Murray asked: "Why don't Federal agencies do this job of delving into this, instead of the board of education? Why put this onus on us?

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[11] Integrated Education, August–September 1964, p. 4.

[12] This act would also have required the location of new school buildings so as to minimize segregation.

[13] Proceedings of the Chicago Board of Education, Mar. 25, 1959, p. 1646.

[14] Quoted in letter from Ely M. Aaron to Frank M. Whiston, June 5, 1964. Mr. Aaron is chairman of the Commission on Human Relations of the City of Chicago and Mr. Whiston is president of the Chicago Board of Education.

[15] Ibid.

[16] Ibid.

They give us the money, it is their job to find out who or which union discriminates, if any."[17]

The Chicago Commission on Human Relations has taken an increasingly prominent role in the Washburne matter. On June 5, 1964, in a letter to Board President Frank M. Whiston, the commission noted that discrimination by the joint apprenticeship committee and unions continued. Accordingly it requested that the board of education withdraw funds and facilities from those unions. A year later, on July 6, 1965, the commission again urged the board to bar the unions from Washburne. Eight days later, the board passed a motion to deny discriminatory unions access to Washburne. Any union, however, could continue to use Washburne if it submitted a "written notice" signed by two chiefs of the union, that "personnel practices and policies of the union" were in accordance with the Civil Rights Act of 1964 and that the union did "not discriminate against Negroes" or other minority groups.

The school board has consciously and officially supported the racially discriminatory program at Washburne. It rejected, repeatedly, demands by citizen groups such as the Negro American Labor Council, the NAACP, and others for relief from this illegal program. Its latest action is perfunctory and is merely a new way of perpetuating the present control of the apprenticeship program. There is utterly no way that the board can police the arrangement it has now created. There is no reason to think the board wishes to police it.

CONCLUSION

Neither segregation nor integration just "happens." Each is deliberately installed or prevented. The school board, acting under advice of its general superintendent, pursues a deliberate policy of segregation. This deliberate or official segregation is exemplified in numerous cases as illustrated herein, and these cases are but illustrations of the general policy and pattern.

The pattern can be found in matters that are not touched in the present report, including the distribution of faculty, student reading materials, and repeated failures of the board to implement recommendations derived from studies the board itself had requested.

Ultimately, the board will have to undo the harm it has caused. This will require an official and factual dedication to integration. It will require painstaking planning to achieve the goal the State law enjoins upon all school boards: "Provide all children of this State * * * a good common school education." We will need to explore constructive experiences of other communities, to use promising tools such as educational parks, to make the schools truly public by insisting that the board cease its irresponsible racism.

But in order to go forward at all we must first face reality. Deliberate segregation is an ugly reality. To ignore it is to consign other generations of children to planned deprivation. If neither the local nor State government will strike down such racial discrimination, then the Federal Government must do so.

Mr. FINLEY. He is also a teacher of history.

I would also like to introduce, on my left, the honorable Charles Chew, 17th ward alderman in Chicago, and like yourself a life member in the NAACP, which gives him some right to speak, as it does yourself.

I think there are two points that I certainly want to try to impress the committee with today. No. 1 is the area that has only been touched on during the testimony, and that being the area of de jure segregation, which all of us concerned with the NAACP, or affiliated with the NAACP, are concerned about in the city of Chicago. We feel it is a unique situation, one that should be explored considerably since we feel that there is a fact basis for declaring that we not only have de facto segregation but de jure segregation as well in the area of Chicago.

Some months ago I referred to the city of Chicago in this fashion, that if Chicago has had segregated schools since Ben Willis appeared on the scene (and it is difficult for me to refer to him as Dr. Ben Willis, since he is well known as a monument of segregation and often other terminology is used with regard to his person) it would be an upgraded improvement over what we actually have right now. I say this somewhat facetiously. However, we feel that the committee should explore and investigate all of the possibilities with regard to de jure segregation.

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[17] Private transcript of meeting of school board committee on Washburne, Jan. 26, 1965.

The second thing that I would certainly like to bring into prominence is one that Dr. Willis referred to yesterday, and that is that segregation has not increased in the Chicago school system. I think that my statement will indicate that it has increased over the recent years, particularly and specifically since he has been there.

Chairman **Powell**. There is the report of the Urban League, which is not a leftwing organization, and in its survey it said segregation has increased in 12 months.

Mr. **Finley**. That is correct, and certainly it is a bona fide organization.

Chairman **Powell**. At this time the assistant chief counsel would like to ask you a question.

Mr. **Kramer**. I think it is going to be important if you would give us your definition, and this is really crucial, of what you consider segregation and integration to be in the public schools.

Mr. **Finley**. I didn't get your question.

Mr. **Kramer**. Could you give us your definition of what you consider a segregated school to be?

Mr. **Finley**. I think a segregated school is No. 1, in the Chicago situation, an example of those schools in Chicago where over 90 percent of Negro students attend an all-Negro school.

Chairman **Powell**. An integrated school would be 10 percent or more.

Mr. **Finley**. It is difficult to base it on percentages, but certainly it is not a situation where there is anything less than 10 percent.

Mr. **Kramer**. Has your organization given consideration to the concept of racial imbalance which is even more severe than the concept of segregation—that is, since Negroes constitute only 50 percent of the school population, any school where there were more than 50 or 60 percent of Negroes would be considered racially imbalanced as such?

Mr. **Finley**. Yes, sir. I might also point out along these same lines that it is difficult to actually nail down a particular segregated school. You have to take into consideration all of the aspects of the school, and what takes place to cause a segregated school, such as the overloading of double shifts in Negro schools, such as predominantly Negro teachers or specifically the majority of teachers in a given school, where the majority of students are Negro, and so on.

Mr. **Kramer**. Do you have statistics on teachers? We are unable to get that because of the law of Illinois, which forbids taking racial characteristics of teachers.

Mr. **Finley**. Let me refer that to Mr. Weinberg.

Mr. **Weinberg**. The law does not prohibit this. That is an interpretation of the school board attorney, and other attorneys have interpreted it otherwise.

Mr. **Kramer**. That is all. Thank you.

Mr. **Finley**. Mr. Chew wants to answer, also.

Mr. **Chew**. I believe you were asked to give an exemple of a segregated school. I can give you several examples of segregated schools. However, there is one in particular.

We have a Benjamin Banneker Elementary School, which was built about 4 years ago. I think it may have been 5 years ago. The enrollment is 100 percent Negro. The faculty is a white principal, an assistant principal is white, and the rest of the faculty is all Negro. This is a brand new school, not one white student enrolled in that school. There are several in Chicago of the same nature.

There are schools in Chicago where you do not have one Negro faculty member. The 10 percent which you will find in some of these mixed neighborhoods, where the children of better class families are allowed to transfer by direction of the board of education, and the ones who cannot afford it, the white children do remain in the neighborhood until possibly they have enough equity in their homes to move out.

Mr. **Pucinski**. Mr. Finley, you made mention of the Urban League report. Do you have it there with you?

Mr. **Finley**. It is on file. I referred to Mrs. Cook's report.

Mr. **Pucinski**. You said that the segregated schools are increasing in Chicago. I seem to recall that Dr. Willis recognized that problem. As a matter of fact, he pointed out about the increase in the nonwhite population in Chicago and said among other things that between 1950 and 1960 the number of white children of the age of 5 and under increased by 22,000 or 8 percent, and the same period he said the number of nonwhite children under 5 increased by 76,000, or 141 percent.

You may recall his statement that if these trends continue, it will become increasingly difficult to provide integrated education of a meaningful sort.

If my memory is right, he referred to a situation here in the District of Columbia, where the nonwhite population in the public school system has become so large, it becomes more and more difficult to provide integrated schooling.

But having said this, I wonder what you would say about the Urban League report, on page 25 of the report, where they list 1,247 less white students in Chicago schools, and 6,383 less white students in the 100 percent white schools, and 3,278 more students in 90 to 99 percent white schools, and 210 more in 90 to 99 percent Negro schools, and 1,648 more in integrated schools.

Now, this would seem to indicate an average increase in the interracial acquaintance for 5,136 more white high school students than last year.

Is there any significance in this development in your judgment?

Mr. **Finley**. Let me point this out, that in a study completed by the Urban League in July 1965, they say that in May of this year, the Chicago Urban League research staff did an extensive study on pupil segregation and school segregation in the Chicago public schools. They go on to say this study was based on two student racial head count reports published by the Chicago Board of Education; one racial survey was taken in October 1963, and the other taken October 1964. We found that 483 public schools, 394 are segregated. The overwhelming——

Mr. **Pucinski.** If you will recall, Dr. Lewis testified yesterday as to the criteria of segregation, and you recall she said it would be very difficult to define "segregation" because of varying standards.

For instance, in her judgment, if you have 10 percent students of one race, and 90 percent of the other race, because of the high standards they have established in Chicago, she would call that a segregated school, even though in southern communities, to meet the 1954 court edict, they will call a school integrated if they have one or two or three Negro children, and the chairman yesterday quite properly referred to that practice as token segregation.

Now, the Chicago school system rejects token segregation as a criteria, and so obviously these figures say "segregated schools" simply because of the high standards that we have adopted for Chicago.

Is there any merit in that statement?

Mr. **Finley.** I don't believe that there is, because I have very little faith in exactly what Dr. Lewis said, as well as Dr. Willis. What you are saying, in effect, is that they may not believe in some type of integration. As far as I am concerned, Dr. Willis and the present school board are not concerned with any type of integration, whether it is token or otherwise.

Mr. **Pucinski.** Do you have any confidence in this Urban League report?

Mr. **Finley.** I certainly have.

Mr. **Pucinski.** Let us look at it then.

On page 24, you have 585 more white students in elementary schools. You have 9,251 fewer whites in 100 percent white schools. You have 8,164 more in 90 to 99 percent white schools, and you have 279 more in 90 to 99 percent Negro schools, and you have 1,393 more in integrated schools.

Now, taking the table on page 25 and the table on page 24, it would indicate that an increase in the opportunity for interracial acquaintances, for 9,836 youngsters, more elementary students than last year. If you put these together, what do you come up with? You come up with a figure of 14,972, or almost 15,000 youngsters who had more chance at integrated schooling in Chicago last year under your own figures here. Now, there are the Urban League figures.

Mr. **Finley.** Since you refer to the Urban League figures, it is granted there was some token integration as far as schools were concerned.

Mr. **Pucinski.** There was some progress in integration in Chicago?

Mr. **Finley.** I didn't say progress. I said there was some integration that took place in the city of Chicago.

Mr. **Pucinski.** I will let these figures speak for themselves.

Chairman **Powell.** If the gentleman of Illinois will yield, I will put in some figures from the same report. In 1964, 381 segregated schools; in 1965, 394. In 1964 schools with 100 percent Negro population, 45. In 1965, 54 schools. That is an increase of nine, which is about 20 percent in 12 months.

Mr. **Pucinski.** I think that we covered this question of what is a segregated school. The segregated school, because of the high standard that they establish—a school may be listed as segregated simply because we reject token integration.

But if you will recall yesterday, the testimony before this committee, in two instances, the school board had built a school fully intending that school to be integrated, and from all population trends and projections they had every reasonable belief that when this school was opened, it would be integrated, at least to the extent of 15 percent in the case of the one school Dr. Lewis mentioned. But by the time the plaster dried on the walls and the school was opened 24 months later, the population changed to the extent that the school was only 3-percent integrated.

The map Dr. Willis presented yesterday showed the increase in the nonwhite community in Chicago, so that schools that started out to be integrated, because of the changing patterns of the neighborhood, became segregated, not because of any policy by the school board but because of the normal movement of people and the flight, the unfortunate flight of the white population.

Mr. **Finley**. Your question will be answered more thoroughly in future testimony, but what you have just said also indicates to those of us affiliated with the NAACP, as to why we feel there is clear-cut de jure segregation in the city of Chicago. That is because of the collusion on the part of such bodies, official bodies, as that of the Board of Realties of the City of Chicago, other real estate groups, and the school board itself in handling boundaries, as far as Negro neighborhoods are concerned. This supports our official reason for feeling that there is de jure segregation in Chicago.

Mr. **Pucinski**. I will not go into a dialogue with you now as to whether or not realties do this or that.

As you know, the city of Chicago passed the so-called antiblockbusting ordinance, and I believe the alderman was there when the ordinance was passed. What evidence do you have, if you have any, to back up the statement that you just made that there is collusion on the part of the school board to gerrymander these districts? I think it would be most important for this committee to have that.

Mr. **Finley**. This will be answered more thoroughly later.

Mr. **Pucinski**. You made the statement and I wonder if you could answer it.

Mr. **Finley**. Only in this fashion: that the school board has not done anything to break up the present boundaries that we have in Chicago. I think this in itself is gerrymandering. They let another group—that being the realtors—decide where the boundaries are to be.

Mr. **Pucinski**. Do you have any evidence to be presented to this committee that will support that the board willfully and wantonly has conspired to gerrymander these districts to perpetuate the segregation in the Chicago schools?

Mr. **Finley**. Since I have learned so well from white people, particularly in the last 24 hours, as to how to refer questions, I think that I will refer this particular question to my resource——

Mr. **Pucinski**. The record may show that you do not have that information, is that correct?

Mr. **Finley**. The record may not show that. I am referring it to one of my resource people.

Chairman **Powell**. Let us not badger the witness. He is here with his staff, just as Dr. Willis was yesterday.

Mr. Weinberg, will you answer the question?

Mr. Weinberg. In the document recently entered into the record, written by Dr. Rich and myself, we analyzed in considerable detail two examples of gerrymandering which will be discussed later. We list in addition 20 other cases of what we believe to be gerrymandering, but which we did not have time to sketch in this report. So we believe there is ample evidence of deliberate and conscious gerrymandering by the school board.

May I add something on the Congressman's statement about Washington, D.C.

In 1944, the District of Columbia schools were 40 percent Negro enrollment. That is 10 years before the Supreme Court decision. In 1954, the year of the decision, the District of Columbia schools had 60 percent Negro students. In other words, the District schools were predominantly Negro before the Supreme Court decision.

This reflected an exodus of white people from the District into the suburbs. This exodus had nothing to do with integration, because there simply was no integration in the District.

As you know, there was a legally separate system, with two separate superintendents, one for the Negro division and one for the white division.

What has happened since 1950—that is up to 1964—is that the percentage had gone somewhat over 80. I guess it was 86 percent last year, in 1964. I would maintain that the attempt in the last 10 years to integrate the system is not the factor which explains the exodus of whites. It is the poor quality of the District schools, to the point where, when it was legally separate, the school system, the Negro school system in this District was not even given achievement tests. The school system refused to give Negro children here achievement tests, whereas it did give the white children these tests. It did not want to know how badly things were going on here. So it has nothing to do with integration.

Mr. Pucinski. I think that you are absolutely correct.

May I ask you this question, Mr. Weinberg. Would you agree that by increasing and improving the quality of the schools in these changing areas, that you would be able to stabilize that neighborhood and arrest the flight of these families?

Mr. Weinberg. Positively, but as we will show in later testimony, the opposite has been the policy of the Board.

Mr. Pucinski. I will be very happy to see that testimony, but for the future, what we are trying to figure out, what can be done about this problem, and would you agree, and the chairman has spoken on this and I have spoken on this, and other members have, that by helping the school systems of America, and giving them all of the help that they need to bring those schools in these changing areas up to a superior status—as Dr. Willis himself said yesterday, the first challenge they have is to return to the urban school the high standards that they had before World War I.

Would you agree that by doing this, we can arrest this flight of white families so that you can have a greater degree of integration in these changing areas?

Mr. Weinberg. There is some defective history in the superintendent's recital. Before World War I, the American public school system was at least in the high schools, an elite system. Very few Chicago kids went to high school. In 1914, for example, in Chicago. there were 10 times as many elementary school children as high school children in Chicago. This indicated that at that time high schools were for the very elite.

In 1964, 50 years later, there are about three and a half times as many elementary children as high school children, so the gap is being closed.

Mr. PUCINSKI. It is always a pleasure to have a witness before this committee who does his homework, and obviously you have been doing your homework.

I think what Dr. Willis meant in broad terms was that prior to the war the custom was to come into the city to get good education. Today, the custom is to go out to the suburbs to get good education. The point he made was that you have to try and improve the quality of the urban school system to the extent where you are going to be able to arrest this flight into the suburbs. I think that was the general purpose of his statement.

Mr. WEINBERG. I have one comment. I don't believe you can improve urban schools without integrating them.

Mr. PUCINSKI. What is that?

Mr. WEINBERG. I don't believe that you can improve the city schools without integrating them.

Mr. PUCINSKI. Certainly I think that was the whole gist and structure of the testimony yesterday, that in these changing areas, and in these peripheral areas, the fact that these schools do become segregated does play a very adverse role.

I won't take the time now because the record is there, but I would be very happy to go back to Dr. Willis' statement, in which he made that statement in his testimony yesterday.

Mr. FINLEY. Since we are discussing Dr. Willis, I would like to point out that yesterday remarks pertinent to the fact that we cannot—or why should we get involved with a personality in the name of Dr. Willis, in discussing the Chicago school system.

I would like to point out, that it is not a complex problem as many people think. You are probably aware of this characteristic since you are from Chicago. This is one of the reasons I have the good alderman from Chicago here, and that is for the purpose of explaining some of the political involvement here with respect to gerrymandering boundaries. It is difficult to refer to Dr. Willis, who I certainly feel is a monument to segregation, without including the political structure as it is made up in the city of Chicago.

Since we are into this area, I think that Mr. Chew has some pertinent remarks with regard to this.

Mr. CHEW. Mr. Chairman, the Armstrong Law prohibits gerrymandering of districts. We have had very few districts drawn since the Armstrong Law. The facts are that there are forces in Chicago, and, Congressman, I can support this, that are designed primarily to maintain a segregated school system, and I think that this starts at the head of our administration. It comes down wherein the entire city council, with the exception of a very few, would confirm that this post was nominated by the mayor to be a member. We must get into this nominating committee, and you have only two Negroes on this nominating committee. One is a doctor and one is a lawyer. But the majority rules in this nominating committee.

The head of this nominating committee, Dr. Odenberg, is the chairman of the department of health of the city of Chicago. The Negro politicians in our city council do absolutely nothing toward integrating the schools. They will not speak up on this issue when they come before the city council. They will vote to confirm the people that are in question that have records of segregation.

I recall an appointee having gone to a private school, and had a complete record of prohibiting integration in a school where he was a trustee. Yet he was confirmed by the Chicago City Council 44 to 6.

When we get into the basis of why we retain a segregated school system, it is the white power structure having taken in the puppets of the Negro communities and getting the support of Negro ministers and Negro politicians to remain silent on these issues, whereby it can be ramrodded through the city council and presented to the public on this issue.

I have one other point I would like to bring out, Congressman. Superintendent Willis testified yesterday that he had asked the board for a cluster plant. Well, it is my interpretation of the duties of the board of education to direct the superintendent as to what he should or should not do, and not the superintendent directing the board. We have had just the reversal of that in the city of Chicago.

Superintendent Willis dictates the policy to the board, and the board carries out this policy.

The one cluster plan that was recommended by the board, Superintendent Willis rejected, and it is not in effect as of today.

Chairman POWELL. Will you go ahead, Mr. Finley?

Mr. FINLEY. I think probably what we are saying——

Chairman POWELL. Perhaps Mr. Weinberg or you can inform me on this. Under Superintendent Willis' administration, how many high schools have been built in the city of Chicago?

Mr. FINLEY. It is one.

Chairman POWELL. One high school in 12 years?

Mr. CHEW. There is a demolition program on two other high schools replacing buildings, but there is only one high school built under Superintendent Willis since he has been in Chicago.

Chairman POWELL. Two have been demolished?

Mr. CHEW. Yes; and new buildings built to replace old buildings, but only one new one.

Mr. PUCINSKI. Is that the Dunbar Vocational School; is that the one high school?

Mr. CHEW. No.

Mr. PUCINSKI. Wasn't the Dunbar Vocational School built?

Mr. CHEW. It was located at 44 and Forestville, and they have a new location at 30 and South Park. You could not consider Dunbar a new school because Dunbar transferred from one building to another. So you did not get a new name. Incidentally, it is named for Paul Lawrence Dunbar.

Mr. PUCINSKI. Is it a new building?

Mr. CHEW. Being from Chicago, I wouldn't expect you to ask me that question. If you tear down your present house and build a new one, you haven't added to your homes. You have just added a new building.

Mr. PUCINSKI. I have a new building.

Chairman **Powell**. You don't have an additional new building.

Mr. **Chew**. Absolutely not.

Mr. **Pucinski**. The chairman asked how many new schools were built, and you consider the Dunbar not a new school?

Mr. **Chew**. No, it is not a new school; it is a new building.

Chairman **Powell**. What about apprenticeship training program at the Washburn Trade School?

Mr. **Chew**. The Washburn Trade School, Mr. Chairman, is run by the unions in Chicago.

Chairman **Powell**. The school is run by the unions?

Mr. **Chew**. Yes, they nominate the apprentice that goes into the school, and the percentage of Negroes is less than 3 percent.

Chairman **Powell**. That is the national average, by the way.

Are there any questions?

Do you have anything else to add to this?

Mr. **Finley**. I would like to finish by saying that we do not feel that you can overlook the political involvement that is cause for a segregated school system in the city of Chicago. You cannot disassociate Mayor Daley or the city council, and the city council, from Dr. Willis, the school board and the segregated school system that we have in Chicago.

I have no further statement.

Mr. **Pucinski**. Could I ask a question on that? Hasn't the hue and cry under the administration of former superintendent Dr. Johnson, and the former mayor of Chicago, been to keep the city administration out of the school system, and isn't it a fact that Mayor Daley has religiously and scrupulously stayed out of the school system and has kept hands off simply to keep those school systems on the highest level?

I can appreciate your thinking about Mr. Willis and you are entitled to that, but isn't it a fact that the city administration has scrupulously avoided interfering with the board and the superintendent, in order to keep politics completely out of the school system?

Mr. **Finley**. I would never know that you are from Chicago. You know as well as I do that city council, as well as the mayor, cannot be disassociated from the problem when they are responsible for appointing school board members?

Mr. **Pucinski**. Isn't it a fact that when the city council several years ago, and the city council approves the budget for the school board, and several years ago the city council decided that it didn't like certain parts of that budget and held up the budget. A mandamus suit was filed and the court ruled that the city council has no right to change a period or a comma in that budget. Its only function is perfunctory, to approve the budget. You are familiar with the lawsuit.

So the city council has traditionally, and the mayor, the present mayor of Chicago, have both, and properly so, stayed out of these school affairs.

Mr. **Finley**. This is only one aspect of the general problem. The trend across the country is the statement that you hear frequently from your large metropolitan areas, that the mayor and the city council does not get involved in the school situation.

Yet, only in recent weeks did the mayor sit down with the school board and various civil right groups to discuss the problem in Chicago.

Now, with regard to the other section of your statement, let me refer that to another research person, Mr. Chew.

Mr. CHEW. The court did rule that the city council does not have the right to change the budget. As you know, the school board is a tax-levying body within itself, which does not come before the city council, as approval or disapproval. It is a State legislative duty.

However, you have to get into the facts of this case. The school board is in politics, and I make that statement without fear of contradiction. The mayor appoints these school board members and you refer to any principal of a Chicago school, and if she or he is a principal, then they have had some political help in getting that job. I say that without fear of contradiction.

Mr. PUCINSKI. Alderman, I think you are being very unfair to the marvelous people, these principals and these teachers, don't involve them in this. They are doing a good job.

Mr. CHEW. You asked about politics and this is where you bring out the facts. The principal in the Chicago school system has a political sponsor, and cannot be denied. The janitorial staff of the Chicago school system cannot get a job unless they are sponsored by a politician, and I know this to be a fact. I am a politician.

Mr. PUCINSKI. You are suggesting that the civil service commission of the school board is not existing. There is not an iota of proof in the statement that you are making here.

Mr. CHEW. I am not only suggesting it, I am telling you.

Mr. PUCINSKI. Alderman, I will not dignify this kind of questioning further. There is not an iota of proof that the civil service commission of Chicago which handles the school promotions in the school district is anything but the highest caliber.

Mr. CHEW. I beg to disagree with you.

Mr. PUCINSKI. Well, it is your privilege.

Mr. CHEW. That is right.

Mr. PUCINSKI. But you are wrong.

Mr. CHEW. That is your opinion.

Chairman POWELL. Mr. Alderman, and Mr. Finley, and Mr. Weinberg, how easy is the line of communication with Dr. Willis and his human relations staff of five people for the NAACP and other civil rights groups? How easy is it for them to communicate with Dr. Willis?

Mr. CHEW. The department of human relations of the Chicago School Board is a myth. There is no such thing existing as being effective. There is no civil rights group that has ever been able to meet with any member of the human relations group.

I might add, that no civil rights group has ever been able to meet with Dr. Willis. He said his doors were open to everybody. This is not true. I categorically call him a liar. He will not see people like the NAACP, and he will not see the alderman, and he will not see civil rights groups.

Chairman POWELL. He won't see you as an alderman?

Mr. CHEW. Absolutely not, and I have letters on file where I have asked to see him by appointment and he has sent the president of the school board instead of coming himself.

Chairman POWELL. I have correspondence that he wouldn't even see the representative of the Commissioner of Education of the United States, with a commitment of $15 million of Federal funds.

All right. Thank you.

The next witness is Mrs. Joseph Bosky, president of Mothers Opposed to Meddling in the Schools.

Mrs. Bosky, I would like to say something very personal which has come to my attention. You, or one of your representatives said to the press that these hearings were rigged, and that I had violated Roberts Rules of Order.

Now, may I just inform you that we don't even know who "Robert" is. This Congress is governed by Thomas Jefferson's Manual and Cannon's Procedure, and I think of them as every other Congressman must.

In the second place, these hearings are not rigged. If they were, you wouldn't be here.

STATEMENT OF MRS. JOSEPH BOSKY, REPRESENTING MOTHERS OPPOSED TO MEDDLING IN SCHOOLS, CHICAGO, ILL.

Mrs. **Bosky**. We didn't say it was rigged. You have changed the wording completely.

Chairman **Powell**. I have obtained that from the radio tape.

Mrs. **Bosky**. Not the word "rigged." I did not use the word "rigged." I used the word "stacked," which is completely different, and may I please call to your attention—let us follow rules, and let us at least give me a chance if this is democracy.

Chairman **Powell**. The rules of Congress are Jefferson's Manual and Cannon's Procedure, and not Roberts Rules of Order, as you stated.

Mrs. **Bosky**. Do you call 11 on one side and 1 on the other, as it was planned in Chicago, exactly a fair hearing? I will tell you something, Mr. Powell——

Chairman **Powell**. How do you think that you got here today?

Mrs. **Bosky**. I am really wondering.

Chairman **Powell**. Because the hearings were not stacked.

Mrs. **Bosky**. No. One to four.

Chairman **Powell**. Otherwise you wouldn't be here.

Mrs. **Bosky**. Even Hauser admits that the city is evenly divided, but we are not evenly represented, sir. This is all I have said.

Chairman **Powell**. You may proceed.

Mrs. **Bosky**. If the city is evenly divided, we should at least be evenly represented, which we were not.

Now, if I might get down to this——

Chairman **Powell**. Yesterday Dr. Willis consumed three times as much time as Dr. Hauser, who is considered a leading critic.

Mrs. **Bosky**. I will only use 17 minutes. First of all, I would like to refer—and I will talk fast so I can get this finished in 17 minutes—I would like to refer to yesterday. I don't feel that anyone—you have your chance to defend yourself, and I will take my chance to defend mine.

Chairman **Powell**. I don't have to defend myself. I am the chairman here.

Mrs. **Bosky**. Obviously. I would like to state that yesterday Mr. Hauser stated several untruths. The greatest one of them is I challenge his figures for the amount of children per class in all-white schools. I happen to have children in the schools and I happen to be active in groups, and I challenge it.

I wish him to prove that, because I don't know of any school that has as few as 15. Edgebrook School has been quoted as having as low as 15, and that is absolutely wrong. We have 2 grades in 1 school, which makes it up to 30 and 37 per class.

I also will say that I was accused of being involved in the open-occupancy fight, which is slander. I absolutely challenge anyone to prove that, because it is not the truth, that I have been involved in any fight except this one. I have not even signed a petition for open occupancy.

What is more, I have been accused of meddling. As you said, you were kind enough to invite me. I did not offer for this, or meddle in any way.

Another thing, when Willis' contract was given, we would have preferred 4 years, but we felt that this was the board's decision, and we did not meddle there either.

I could give you several other things, but let us go on to what I came here for. I will read my statement.

The dictionary defines "segregation" as the act of separating or setting apart from others. To collect in one place. According to this definition, ethnic groups have deliberately segregated themselves in order to be with others of the same customs and language.

Some groups have segregated their children and kept them from association with others of different concepts and usually different color by sending them to parochial schools in order to have them receive intensive instruction in their own faith. There are children whose parents have, in the quest of advantages for them, sent them to private institutions such as lab schools where there might be an integration of color, but not of intellect or socioeconomic backgrounds.

Some students are segregated because of physical, learning, or behavior problems. Still others are segregated either voluntarily or by necessity because of various economic and social factors.

All these types of segregation have had their impact upon the public schools of Chicago to form a decided pattern of de facto segregation. However, to merely declare a state of de facto segregation is futile unless one is intelligent enough to analyze the situation and determine, first, the possible ways of ending de facto segregation; and second, to determine whether it is in the best interests of education and expedient legally, psychologically, and economically to do away with de facto segregation by the means found possible.

Looking at just the racial segregation in our city, it becomes obvious that if mass integration is to be effected, by the very nature of racial residential patterns the only possible method is one of various bussing plans. Even the most ingenious boundary changes would affect very few individuals in comparison with those who would still remain segregated.

Open enrollment would create a need for bussing and would also create an excessive amount of burdensome paperwork as well as all sorts of mechanical problems such as pupil distribution and need for lunch facilities that were not needed before. Then there is the Princeton plan that depends solely upon organized forced bussing. There are variations of all these ways to effect integration, but these are the basic possibilities.

Any forced plan carries with it an irritant to whose who are made to participate in it. More than that, it is an infringement upon the freedom of those who are forced to partcipate in such a plan.

To quote the Hauser report, a source that you will surely claim as authoritative, on page 12:

> "The school system can eliminate segregation, but it cannot, by itself, bring about meaningful integration in the schoolroom."

If a meaningful integration cannot be effected, the psychological damage to the child would be far worse than the present distresses which can at least be shared by sympathetic and understanding classmates.

The ideal, moral, and even right thing would be for Negroes to be accepted wholeheartedly by all of his white brothers. However, this is no Eutopia or there would be no crimes of violence and greed as well as no crime of racism. Force broods antagonism. Antagonism is not a fertile bed in which to sow seeds of racial acceptance. Though it may take longer to properly prepare the bed for the seeds of acceptance, in the long run it will have been worth the patience and effort in seeing the plant bloom and flower as it rightly should.

A right accorded to homeowners is that of being able to sell their property and move if they so choose. I believe that the desire of a parent for a child to attend a neighborhood school is so strong that any plan to alter it will result in a much faster white exodus than even the present rate indicates. And, to quote from the Hauser report again (p. 12):

> Unless the exodus of white population from the public schools and from the city is brought to a halt or reversed, the question of school integration may become simply a theoretical matter, as it is already in the Nation's Capital. For integration, in fact, cannot be achieved without white students.

One of the main concerns of the entire city is that of quality education for all its children. Is the Negro child of Chicago getting an inferior education, and, if so, is it caused by de facto segregation?

First of all, by which method does one judge the results of an education? If one judges by the results of standard tests it might seem that the Negro child of Chicago has suffered from education inferior to that of the white students because according to the Hauser report (p. 20):

> Achievement test medians in all areas of basic instruction are highest in predominantly white schools, are lowest in predominantly Negro schools, and falls between these two medians in integrated schools.

But in the Havighurst report we find that (p. 15):

> Parents with much education give their children a better chance for good school achievement than do parents with little education. Therefore, it would not be fair to compare the achievements of Chicago schoolchildren, whose parents average about 10 grades of school, with the achievement of children in a North Shore suburb, whose parents average about 14 grades of school.

Nor is it any fairer to compare the achievements as evidenced in test scores of the Chicago children who have parents with little education and might even be illiterate to the achievements of children whose parents most probably have a high school and perhaps even a college education.

Obviously then, we cannot use standard tests to judge the quality of education the disadvantaged Negro is receiving.

May I pause for just a moment to say that I dislike constantly speaking of the Negro as disadvantaged. I am aware that there are many culturally advantaged Negroes in Chicago. However, tables in both the Hauser and Havighurst reports point out that the majority of Negroes in Chicago are disadvantaged and therefore, I shall go according to the tables and speak of the majority of Negroes and the majority of whites.

Do we then judge the quality of education by physical equipment? According to the Hauser report (p. 22), expenditures on supplies are comparable, the Negro schools have the majority of lunchrooms, clinics, and new school buildings. Also (p. 21):

> A survey of the program offerings of the general high schools in the sample indicates little difference in the programs available.

In the Hauser report, inferiority is indicated in just one area (p. 17). The schools are:

> Inferior due to lack of experienced teachers and high turnover of teachers.

However, the report also states (p. 31) that:

> It must be emphasized that the community itself has a major role in attracting or repelling teachers. The teacher with statutory freedom to choose his assignment understandably avoids areas which create personal difficulties for him—difficulties ranging from questions about his competence based on his very willingness to come to the area, to the theft of tire or batteries from his automobile, and to attacks upon his person.

Will forcibly ending de facto segregation throughout the city help alleviate this cause of inferiority? Perhaps for a very, very short time until the white mass exodus can be completed and many teachers can leave the Chicago school system, at which time the Negro will be worse off than ever before with no hope of eventual integration and no hope of attracting enough good teachers to Chicago. For, let's face it, many of the inexperienced teachers in the deprived areas are teaching only with the possibility of a future in an advantaged area in mind. Without this prospect, they would not choose to teach in Chicago at all.

A theory advanced as to why de facto segregation in itself gives an inferior education is that in this space age the "3 R's" are not enough. A child must mingle with, and so get to understand, others different from themselves. In this way, tolerance and sympathy are born. The only flaw in this reasoning is that the world is not just black and white. If this type of education is indispensable, then there must of necessity be a complete integration to be effective. Your brother is black. Your brother is white. Your brother is rich. Your brother is poor. Your brother is smart. Your brother is slow. This means you must integrate with, to understand, the Jew, the Protestant, and Catholic; the white, black, and oriental; the gifted and retarded; the athletic and the crippled; and the deprived and advantaged. This would immediately break down all concepts of modern education in which it is believed that each child should receive an education according to his individual needs to develop him to his highest potential.

Nor do I believe that the Chicago Catholic Interracial Council or any other group associated with a religion that runs its own private schools would be willing to agree that their schools, which are completely segregated as to religious affiliation, give the worst possible education to their children, which, according to this theory, is exactly what they would be doing.

New York has certainly done all it can to promote integration in its system, including a heavy turnover of school superintendents and board of education presidents as well as a modified Princeton plan. Their budget provides for about $752 per pupil, far above ours, and yet a survey by the New York State Department of Education found that city pupils from the first grade through high school fall below those elsewhere in the State. Could it be that busing programs are expensive with no educational benefits to show in return for the expenditure? (U.S. News & World Report, June 21, 1965.)

One of the recommendations in the Hauser report (p. 35), is, to quote verbatim:

> It is recommended that the board of education undertake, on a pilot and experimental basis, in one or more administrative districts where student turnover is high, retardation is heavy, and educational achievement low, a program of educational saturation, in which the effort would be made to utilize as much of the best educational practices as possible, as broadly as possible, and as rapidly as possible.

Yet when this recommendation was followed in the form of the Forrestville plan, the greatest objection to it was that it furthered segregation.

Many educational experts as well as Dr. Hauser recommend a saturation program to help the underprivileged reach the level of education achieved by the rest of the community. The Havighurst report (p. 35) states:

> We should not expect the schools to bring children of low socioeconomic groups up to the level of school achievements of children of high socioeconomic groups. Schools cannot compensate completely for handicaps in family training and experience. However, we should expect the schools to give extra opportunity to children of low socioeconomic status.

If one wishes to saturate anything economically and efficiently, one must of necessity keep the process compact. In the case of an educational saturation, one must keep the students in a compact group. If they are to be scattered throughout the city in an effort to integrate for the sake of integration, a satisfactory saturation program is impossible. It would seem logical that after-school reading classes would prove to be more beneficial and educational than long, tiresome and costly bus rides.

Legally we are not committed to a program of ending de facto segregation. To try to pass a law which would make it compulsory is foolhardy and would cause economic, educational, and social chaos in Chicago.

I do not think we are even morally bound to end de facto segregation in the schools. De facto segregation is a happenstance caused by living patterns and not a deliberate attempt to segregate or isolate Negro children. What we are morally bound to do is to give the Negro child as well as all children in Chicago as good an education as finances will allow. This, through costly compensatory education programs, which have been in existence for years to the extent that the budget will stretch, we have done. Factors that lead to the inferior part of their education such as lack of experienced teachers and the bringing to school of a lower learning ability due to home factors, are not going to be overcome by mass ending of de facto segregation.

In fact, most likely a mass ending of de facto segregation would be an unbelievable blow to the Negro child.

Dr. Kurt Lewin and his associates performed a series of experiments with small children. It was reported that the children to whom beautiful toys were repeatedly shown but then abruptly removed were so drastically affected that maturity of behavior of the children declined by about 14 months. It is logical that the constant frustration of a deprived child leaving his disadvantaged surroundings each day to associate with children of higher economic background and possessions only to have to return to his less fortunate surroundings will do irreparable damage.

It's unfortunate that this has been made a race issue by civil rights groups. Any of the points I have just made about the inadvisability of forced integration between the deprived Negro and advantaged white would also apply to a forced integration between deprived and advantaged white or deprived white and advantaged Negro. With all the civil rights groups' talk of treating Negroes as individuals, they are the ones who refuse to let the board of education do just that—treat him as an individual with individual needs. An underprivileged child is an underprivileged child with the needs of an underprivileged child * * * the special needs that the school system must provide to make up for the things his parents may want to give him but are unable to. Does it make sense to think that dumping him in the midst of a white group will automatically educate him? If it did, how do you account for the underprivileged white children of Chicago who suffer the same fate of teacher shortage and low test scores?

The real question is, Is the school system of Chicago supplying a program to answer the deprived child's needs? I say, "Yes." Yes—as far as it is financially able and as far as it is able to do in view of the constant harassment and pressure to count noses according to color before each move is made. Integration has suddenly become more important than education. Integration is vitally important, but it cannot be achieved without education first. Do you think that the professional and educated Negro of, let's say, Kingston Greens, where the Negro has found a voluntary segregation, would appreciate a sudden desire on our part to integrate them with whites who had not yet reached their educational level? Nor are these educated Negroes any more anxious to integrate with their less educated kind than are the educated whites anxious to integrate with the whites of a much lower educational level.

The most perfect school system in the world cannot perform a miracle or undertake the task of successfully educating a child alone. A turtle lays its eggs in the sand and its responsibility to its young is done. We are not turtles. The school tries to teach our children the "three R's of readin, ritin, and rithmetic." It is the parents' responsibility to teach them the other two "R's of responsibility and respect." Without these two R's, the other three are not absorbed.

So there is de facto segregation in the school system. Well, there isn't in the public library, the art institute, or any of the marvelous free museums Chicago has. How about the civil rights leaders marching their followers and their children to these buildings? It would prove to be of more value and would have the added benefit because some of them are even closer to Buckingham Fountain than city hall and the board of education building.

The civil rights groups accuse the board of not trying to end segregation in our schools. Well, I accuse the civil rights leaders of distorting facts and weighing down their young with huge chips on their shoulders instead of helping them make the most of what they have. Do they really want equality of education with the whites of Chicago? I don't think so. It would mean giving up most of their EMH rooms, their special summer schools, and their special reading and after school programs as well as their lunch programs. We, on the fringe of Chicago, do not begrudge this inequality we have found in the distribution of these programs. Far from it, we wish them to have as much help as possible to raise their standards and achievements, but for heaven's sake, at least let the civil rights leaders acknowledge that these programs do exist. Children aren't wooden blocks to be moved about on the checkerboard of education at the whim of some social experimenter.

One thing I have learned is no one can exercise a right at the expense of someone else's rights. It won't work—and when it doesn't work the cause of brotherhood will be set back immeasurably.

We all talk about democracy. Our Supreme Court has handed us the slogan, "One man, one vote." Well, let the politicians who give lip service to this slogan test their devotion to democracy by putting it to a vote—to see if white and Negro parents want their children to be used as pawns in a power struggle between various political factions. Let's have a referendum on this question and strike a blow for freedom and against force and compulsion.

In conclusion I would like to read some quotations as published in Chicago papers. From the Defender of January 13, 1965, I quote Professor Havighurst who said that his survey—

> Gave "acceptance and support" to the "neighborhood school principle."
>
> "Since there are large areas of the city and large numbers of schools in which there are practically no Negro pupils, this policy means that the board of education would not promote school integration actively in such areas."

Another quotation as published in a Chicago daily paper of May 29, 1965, is:

> If complete integration is their (the civil rights) goal, they are fighting for an unrealistic objective.
>
> The city's present residential pattern, the imbalance of white and Negro children in the school and the flight of white from any neighborhood where Negroes begin to crowd in makes complete integration impossible.

This last statement, incidentally, is given by Dr. Philip Hauser, the author of so many of the grandiose schemes for an integration that he apparently does not think can be effected.

Mr. KRAMER. I have a brief question.

First of all, you may not be aware of this, but the Supreme Court, through the Honorable Justice Jackson, has decided that some rights, particularly minority constitutional rights, are not subject to voting by majorities.

Secondly, and this is a question: We asked you for Federal legislative proposals, and I take it that your proposal is really directed to the Judiciary Committee which you wish to pass a constitutional amendment undoing the *Brown* v. *Board of Education* case.

Mrs. **Bosky**. It was a suggestion and not a proposal.

Mr. **Kramer**. But you disagree with that decision 100 percent; is that correct? The 1954 decision on segregation?

Mrs. **Bosky**. I think the minority groups have some rights. I by all means will go along with it. Laugh if you must; I do think so. I have never opposed integration, and there is no way that you can ever say that I have. I have never done it in private let alone in public.

I am not a racist, sir. Even in my private thoughts I have never advocated or said anything about white supremacy, which is more than I can say for some clippings that I have of some members here who have advocated black supremacy.

May I please add to the files? This is a verbatim transcript of the minutes of the meeting of the special committee on the Hauser report, and it was held on Wednesday, June 17, and it states very specifically when Dr. Hauser let his hair down what his real thoughts behind all of this was, and it has been underlined.

I will give you a typical quote:

> If your objective is to achieve integration, by gosh if you found that all of the white students were fleeing from the school because it was 10-percent Negro, I would see to it that they would stay put.

He didn't say how he would see to it that they would stay put, but to me, sir, this smacks of force, just as this entire verbatim report does.

Do I give it to this gentleman?

Chairman **Powell**. Without objection, it is included in the record.

(The report referred to follows:)

VERBATIM TRANSCRIPT OF THE MINUTES OF THE MEETING OF THE SPECIAL COMMITTEE ON THE HAUSER REPORT, HELD WEDNESDAY, JUNE 17, 1964

The chairman, Mr. Cyrus H. Adams III, took the Chair and called the meeting on the Hauser report to order, and there were then:

Present: Mrs. Wild, Mr. Bacon, Mr. Friedman (replacing President Whiston), Mr. Murray, Mr. Adams, chairman.

Absent: None.

Also present: Dr. Willis, general superintendent of schools; Dr. Smith, deputy superintendent; Mrs. Carlson, associate superintendent; Dr. Cohler, associate superintendent; Dr. Stack, associate superintendent; Mr. Hefferman, assistant superintendent; Dr. Lehne, assistant superintendent; Mr. McKeag, assistant to the general superintendent; Mrs. Paulson, director of pupil personnel services; Miss Harvey, secretary to the general superintendent of schools; members of the press, and representatives of various organizations.

Mr. **Adams**. I would like to open the meeting by saying welcome to the press. I can hear some "humpfs" and some "sniffs" on that one as I have made some comments on the subject before, but I think I have learned to my sorrow that the risk of having people manufacture malevolent motives if they don't know what we are talking about and doing is greater than the risk of having reporting which is concentrated on slanted or any other kind of injudicious reporting. I wanted to tell you a little bit about the plan of these meetings. The committee is going to claim the privilege of joining each other for coffee in the next room—not for any nefarious purpose but to discuss the day's agenda before each meeting with a view to adding or deleting or setting up the order of the items which will be discussed at the meeting; and again, the purpose of this is only to try to maximize the effectiveness of what we do do at these meetings, and this will not preclude anything else coming up in the course of the meeting when it is officially opened.

There is one other thing I would like to get out on the table so that there is no misunderstanding. When I scheduled this meeting I forgot that this particular Wednesday of the month is the day on which Dr. Willis has his monthly meeting of the Board of Directors of the Northwest Mutual Insurance Co. up in Milwaukee and inasmuch as they are considerable investors in Carson, Pirie, Scott & Co., I wouldn't want to do anything to prevent him from attending that meeting and he will therefore have to leave sometime around or after 11 o'clock—and this is understood.

We are very happy and very grateful that Dr. Hauser, who needs no introduction to anybody in the room, was able to come here today on such very short notice. He gave up part of his Sunday afternoon to sit down with me and talk about why we wanted to have him come and talk with us and the assistance we felt he might be able to give us in this assignment that we have. I told him that we would like to know more of the thinking that led to the panel's first three recommendations particularly and also especially to the criteria which were named in the event that decisions between one course or one style or another were necessary because of possibly conflicting situations. And I also asked for his comments on the proposal that was presented to the board and its relation to the report of this panel and that's about as broadly as we discussed it and with that preamble only Dr. Hauser, thank you again for coming and the floor is yours.

Dr. **Hauser**. Thank you, Mr. Chairman, since you have mentioned the relation between Northwestern Mutual and Carson, Pirie & Scott, I might say I am also anxious to see Mr. Willis go to that meeting because I am a policyholder.

Let me start out by indicating, I think, a note of perspective on the proposals that are before you, Mr. Chairman. I think these various plans for effecting integration in the schools might be put on a continium ranging at one extreme from a compulsory assignment type situation in effect, for example, as represented by the Princeton plan which was one such model to effect integration. A plan which would provide the board of education with the responsibility for what integration is effected. To the other extreme, which is entirely permissive, such as I would view the Whiston committee proposal.

I think it correct to say that the advisory panel in its own deliberations considered both types of methods of effecting integration, and came up with the specific proposal we did make as a kind of a compromise, if you please, or something somewhere intermediate on a continium between the completely compulsory assignment on the one hand, and the completely permissive assignment on the other. It is with this in mind, I think, and this perspective that our recommendation No. 1 and its three parts is to be understood.

Now, I think I can clarify our own thinking in the matter also perhaps by starting first with my views on the proposal before you the Whiston proposal. I would say that it is in effect one of the things that the advisory panel recommended. The Whiston proposal is in many respects like Recommendation No. 2, point 2, in the proposal we made. Perhaps to clarify matters I might turn to that. This recommendation 2 is concerned with optimal utilization of space. It starts out saying it is recommended that optimal use be made of long existing school facilities. This point No. 1—which free transportation should be provided to convey students from overcrowded to underutilized schools when the distances are in excess of 1 mile. This transportation should be free because it would be for the convenience of the board of education. I might add there, Mr. Chairman, that I think theer has been some misunderstanding about the relation of transportation of the advisory panel's proposal and transportation under the Whiston proposal which is before you. Because although we never specifically got into the details of just what volume there would be, I think it correct to say that we visualized a rather small amount of transportation being necessary to deal primarily with the extremes of overcrowding and underutilization and not nearly the volume of transportation which should be involved in say the present Whiston proposal. Moreover this was quite independently conceived of with respect to integration because we had in mind that such transportation be provided for both white or Negro children as the case may be—the schools which might be either white or Negro as the case be—and you have instances of overcrowding in white schools as well as in Negro schools. This was not a device, in the judgment of the panel, to effect integration at all. It was a device to effect optimal utilization of space, may I say that the taxpayer among other things in mind.

Now, point No. 2 under this optimal utilization of space reads as follows: "A liberal transfer plan should be put into force permitting the transfer of any child to an underutilized school of his choice provided that each transferee assume the cost of his own transportation." Now, this in many respects is like the proposal before you. It differs, may I say, in that this recommendation means any child in any school, crowded or not, that wishes to apply for transfer to an underutilized school would have the option of doing so. This in effect, incidentally, might involve integration more than the present Whiston propcsal because obviously the transfer applies under the Whiston proposal only if the school is overcrowded and thus quite a different matter than if the school is all Negro or all white, as the case may be. Now it is true that the situation unfortunately in Chicago is such that the preponderance of Negro schools are overcrowded so that by making overcrowded a criterion is due to the facts that overlap a lot with integration.

But that whole principle, if I may proceed now to critique the Whiston proposal, seems to me is stated unfortunately even if the consequences to some extent may be the same. It would seem to me a very bad position to say that you are going to integrate if a school is overcrowded but that integration isn't necessary if a school isn't overcrowded. Now this is certainly putting the emphasis in the wrong place.

A second critique, and in my judgment, perhaps the major criticism of the Whiston proposal is as follows: I think if anything the educators have learned it is that the child is most impressionable in K to 4 in our present school system and as a matter of fact even more so in the preschool situation, which is one reason our saturation program has recommended that there be preschool education to help prepare the child who has been deprived of opportunity and with a poor cultural background at home to help prepare him for what he can get out of K to 4. But it seems to me most peculiar that at this particular point where the dilatorious consequences of segregation, and this is presumably assumed by all of us, this is certainly stated conclusively in the Supreme Court decision of 1954 in the *Brown* case and, in addition, those corollaries of segregated schools which subsist in the city of Chicago, namely, that they do have teachers with less experience and with less training than schools in the white areas. That this combination of deliberous consequences has its greatest impact on that child K to 4 and yet under the proposal before you, Mr. Chairman, there is no provision whatsoever made for integrating schools for purposes of children of this category. Now it seems to me to be a very glaring omission from any, shall I say, integral and committed efforts to achieve integration in the schools, opened up that part where the problem is the most severe. I might say I am mindful and I am sure my colleagues on the panel were mindful of the fact that this K to 4 child is not as mobile as the child over 4th grade. And that there may be some administrative problems involved. But, may we say, that the panel included at least two persons with an awful lot of experience in school administration and they saw no insuperable obstacle of dealing with this situation at all.

Another criticism that I'll make of the present proposal before you is that it, shall I say, defuses and in my judgment, makes considerably more difficult the problem of preparing the community for integrated education. One thing that the cluster plan does is provide a specific area which then can become the target for preparing the community for integrated education. This way the city as a whole is a target and you are going to be using shotguns instead of rifles to hit the target and where you hit nobody will know. Or, at least, in my judgment it is going to be extremely difficult to mount a public education campaign to deal with the whole city simultaneously as distinguished from dealing with a specific circumscribed area in which two or more elementary schools at the elementary school level or three or more high schools at the high school level become the target for preparation, and in respect to which, then, the Conference of Religion and Race and the church and members or rather, officials who have volunteered their services among others, to help prepare the way could be utilized.

I think these are perhaps the major criticisms that I would want to make of the proposal before you. Let me get on now with the thinking about the cluster plan. I think its advantages for effecting integration lie (1) and I can state this negatively, as a criticism of the Whiston proposal, as well. That the burden of integration is place entirely on the parents of the children with this situation and the Negro, all Negro schools and Negro areas who must take the initiative there I think there is reason to believe that there is neither the money, nor the time nor, shall I say, the psychological preparation for taking this responsibiilty. You visualize the situation of the Negro mother with a child with the option of transferring that child to a school that may be many miles away, and much as been made of this in the discussion, with a lack of knowledge about that school, that neighborhood, and how her child may be received and I think what you are doing is given her false kinds of freedom. This is a freedom on paper but I don't think it's a freedom that can actually be utilized by that Negro mother with a child in those circumstances. In contrast, where you have the clustering principle involved, you've got a community larger to be sure than the present school attendance area, perhaps not larger, however, as the minimum we recommended two school attendance areas, it might be three or more, for that matter, but you've got a circumscribed area it's not too far from home that parent can visit, the parent has much more access from the standpoint of both time and money and I would argue, also, psychological preparation particularly if an effort is made to pinpoint the target in preparing that area, you see, for the integration area by area as would necessarily have to be the case. I think the most and best thing that might be said for the cluster principle is that it does impose by just geographic delineation to some extent both an element, if you please, of compulsion. Another way to state the same thing as to say it imposes in the situation a border of education in effect has taken some responsibility for saying that within this confine it is anticipated that you can have white and Negro families exercising at that point, freedom of choice to a considerable extent to attend the schools in question, as distinguished from placing the burden entirely on the parents. I would add to the speculative question you've raised about criteria, what criteria, what priority ought to be applied when and if a school is oversubscribed, overenrolled. You will recall that we recommended that there be preregistration, that the preregistration be, as a matter of fact, be prepared by an intensive campaign to prepare both white and Negro parents for the situation. Among other things I think it should be designed to break down the psychological barriers of the Negro mother sending her child to the school with unknown fears and unknown situations as well as help prepare the white for this situation. That under those circumstances, what the board does is go beyond the point of putting the entire burden on parents themselves. And I think this is an obligation that the board might well assume. What criteria do you apply?

Well, we've listed three in an order which we had no particular priority as we listed them. This was not intended—we discussed this explicitly and the listing was not necessarily the order of priority across the board. The first one we happened to list was to promote integration. The second one was what was educationally desirable for the child. The third one was proximity to the home. Now, to my mind, and one reason we left this without priorities is that the administrator should have maximum flexibility here. Obviously, if there is real intent to achieve integration, this would be a major factor involved. And may I say, that astute administration at this point, in my judgment, and I think in the panel's judgment, could be used to help anchor and stabilize neighborhoods. And you might argue this is beyond the function of the board of education, but I think the fact is the board of education is part of the city; it is also related to city government. It must be deeply concerned with what happens to the city of Chicago, neighborhood by neighborhood, and in my judgment, astute administration of the cluster principle would, in effect, accomplish a form of integration which could prevent exodus and flight of white parents instead of the kind of exodus and flight that we have experienced because among other things, of the great uncertainty of what was going to happen and with the knowledge, and certainly history bears this out, that once a school began to have some Negro students, it's just a question of time before that school was all Negro. This being, shall I say, a logical product of strict adherence to a neighborhood school policy and the changing population composition of the neighborhood. Now, I would say if we used cluster arrangements of schools while this was going on, those boundaries could have been redefined as necessary so as to keep the proportion of Negro children in any school at a level which would prevent the exodus of whites. This is what I would call astute administration.

Now, with respect to how feasible is this now I've seen nothing as yet in way of documentation to indicate that the clustering principle is not feasible. May I say the advisory panel itself did not go into great detail on this matter. We had neither the time nor the staff, nor do we think it was our function. However, I would like to point out that in my discussions, with Professor Havighurst, who is conducting the other survey—that he has necessarily collected the kind of information and made the kinds of analyses that would permit, I think very readily, the preparation of schools in clusters to implement recommendation No. 1. Moreover, I'm pleased to report that Dr. Crain, who served as director of studies for the advisory panel, is willing to work with Professor Havighurst, should this be desired to help prepare such a cluster plan.

Now I don't know whether the board of education or whether the office of the general superintendent of schools has or has not attempted to work out such a cluster plan. But I do know this, that it cannot be worked out and it cannot be made to work if the specific orientation with which you start is that present, should I say, principles must hold. A good many things might have to be changed including the present school assignment areas. If you should start with those and they are frozen you have automatically restricted the flexibility with which you can work out cluster arrangements. If you look at the map, Mr. Chairman, on schools, the elementary schools which are indicated by whether they are all white, all-Negro, or integrated on page 57 of the printed report. You will see superimposed on that map are lines delineating the boundaries between the white and Negro communities which, of course, continue to change as we are well aware. We will notice that there are any number of places on the periphery of these lines where, if the school attendance districts were drawn east and west instead of north and south for the south side Negro area and north and south instead of east and west for the west side Negro area that you could achieve clusters. This is a matter of simple geometry, among other things. And on areas involved; certainly the distances involved for children for traveling, would, on the average obviously have to be much smaller than on the permissive plan which is before you—the Whiston plan.

I want to make one other observation, incidentally, by way of criticism of the Whiston plan. The fact is that in most places where it has been tried, it has not worked. By "worked" what I refer to—it has not resulted in a large proportion of Negro children going into white schools or vice versa. It has not produced integration. In Baltimore, where the plan has been in effect for some time, not more than 2 or 3 percent of children are actually integrated. And Professor Havighurst, who has included this in his studies could present much more detail on this matter, Mr. Chairman, than I can, because I have many other commitments, and I just don't have the time to get into details of this. In Detroit, this has not worked. In Chicago, under what I think we'd all agree are unfortunate conditions as far as preparation is concerned and timing is concerned, permissive transfer plans did not work. The proportion of children actually applying for these things in relation to theoretical numbers eligible was, of course, dismally low. So I say, there again is the reason for certainly not conceiving of this plan as a way to effect integration. Commendable as it is, as desirable as it is, as one element and a battery of things a program that would specifically address itself to say correcting overcrowding and under utilization, that is optimal utilization of space.

Similarly, incidentally, if you look at the map on page 59, you can see there is a very schematic way, all the pluses showing excess pupils are in the Negro areas and all of the minuses tend to be largely in the white areas or non-Negro areas. If you draw school attendance areas north and south on the south side you get all Negro schools, if you draw them east and west you could do a lot more to effect integration. And conversely if you drew boundaries north and south on the west side instead of east and west you could effect more clustering and integration.

If you look at the map on page 67 (we are in the high schools) you can see there that there you have got a smaller number of things but if you think in terms of clusters of three or more high schools that it should not be impossible to effect cluster arrangements that would promote integration. And may I say this—we do not go into the detail of this in the advisory panel report but here again we assume astute administration. This could be faked. I would certainly argue that the rights of a senior or junior or maybe a sophomore in a high school ought to be maintained and they oughtn't be forced to be pushed out let us say, willy-nilly, without awfully good reasons. But there is no reason why a cluster plan that would permit this type of integration couldn't begin, say, with freshmen and year by year over a cycle for 2 years work or whatever. This is a matter for working out with the detail. This doesn't have to result in a complete disruption including the disregard of rights of all students that may be involved. But I think that is not unreasonable to ask that the right of the Negro child for integrated schooling and for schooling of the same quality and certainly is evidenced by the kind of teaching available, ought not to be ignored. While we are looking at that map, if you will look at page 66, you've got the location of integrated, segregated upper grade centers and there, again, you can see that the integrated centers of the upper grade centers are mostly confined to the areas of Negro residents. It might have been just as easy to place them somewhere out of the areas of the Negro residents and use them as ways of effecting better integration than what has actually been affected. Now, one or two observations more, Mr. Chairman, I would like to say that in setting forth this report, the members of the advisory panel all we explicitly discussed this and in this respect, I can speak for them, as well as myself, we didn't feel that we had the final answer or only answer to ways schools can be integrated, in introduction to our recommendation we explicitly point out there are a number of patterns by which integration might be achieved. And we suggested one pattern which made sense to us, in the circumstances, having in mind among other things the immediate background that called the advisory panel into existence and led us to do our work. I don't think I or any member of the panel is prepared to die and bleed for every recommendation being followed to the letter or else take the position that the board is ignoring the recommendation. Far from this. But I think in approaching this problem and particularly with the proposal before you, a permissive transfer policy, I think the board must be mindful of the fact that this has a history that the history is such as to make a good part of the population of the city of Chicago very suspicious about this as a way of achieving integration. Because it has not worked in Chicago. As I have indicated, it has not worked elsewhere. I think this is in general, I think, the major observations that I would like to make in this initial presentation.

I would like to ask questions but, in summary, I would say this—I, and I am sure, the members of the panel would have no objection whatever to the present Whiston proposal if it is regarded as merely the implementation of recommendation No. 2, point No. 2. This is in effect what it is. Although it is somewhat more restrictive than the panel's recommendation. We recommended in effect that any child in a school either underutilized, that is, overcrowded or not, be free to transfer to any underutilized school to help effect optimal utilization of space at their own expense. To the extent, this does differ somewhat. I don't think this is of vital or fundamental importance as point 2 in recommendation 2, the Whiston plan is fine but I in no way can see this as a substitute for recommendation No. 1.

And this leads me, if I may, to one or two other things that now come to my mind. I notice that in the copy of the Whiston report, a copy of which was bootlegged to me, I have not received one from any board of education office, I have noticed their language to the effect—nor may I say, is there any reason why I should have received it—I can assure you, Mr. Chairman, that I don't look for more work to do in relation to this problem. I have got about all I can handle with all my other commitments now. But I am dragged into it willy-nilly. Seem to me that there is a good object lesson here. If you don't want to get enmeshed in public service avoid ever doing the first one. But it is a little late for me to do this at the moment. In any case, I notice it contains a recommendation that open enrollment in vocational schools for example, be continued. Now unless there has been a change in the enrollment procedures in the vocational schools since the advisory panel did its work, this is not what the advisory panel had in mind. Apparently, from what I read in the press there has been some indication that there is a contradiction in this matter. May I say this and I think we are all of us educated enough to realize this. When you talk about contradictions in this report, another way of saying exactly the same thing is to say that it is being misinterpreted by its readers. This means the same thing. I am quite willing to do, to assume, as I do assume that such misinterpretations are honest misinterpretations and reflect the fact that the advisory panel was not quite as good as it should have been in communication. But we did this under some rush and I plead extenuating circumstances, if everything is not crystal clear. But I would also like to submit that again what I have read in the press and I also distrust the press, Mr. Chairman, it has some things I have never said, and vice versa but these are people trying to make a living and they are doing it in a hurry, too. I will say that the point of view, however, that the report must stand on its own and it must not be intepreted by any members of the panel strikes me as an exceedingly narrow and paroquial and, shall I say, naive point of view. I think all members of the panel are quite vocal and any of them that you can get hold of, I think, would be glad to help interpret what you think are apparent contradictions. I would like to make this flat statement since this has been made many times in the press—that in another way to interpret contradictions is to say that it is misunderstood. And I would assume that it is misunderstood because we haven't conveyed a meaning adequately enough.

Vocational schools, then, and may I say the other special programs. We were mindful for example of one case of a Negro mother with a hard-of-hearing daughter who had a terrible time getting her child into a school which had special facilities, that was a white school, and was put time and again into all Negro schools with inadequate facilities for that child. Which is why we explicitly recommended open enrollment. The city as a whole is the attendance area for any vocational school and any special program. This is our recommendation, I think that ought to be clearly understood. The other point I would make is, of course, there's a difference between the high school and the elementary school problem. In the high school problem there is no problem of mobility and I think there the question of proximity to home obviously could be pretty much ignored. It is a minor element compared with say effecting integration or getting the child the kind of education it needs. At the elementary school level, and especially kindergarten to fourth, proximity to home becomes a more important element. But integration is also an important element if we're going to get our Negro youngsters the kind of education that enable them to stand on their own two feet by the time they get out of school. And I would say this is a very important element that the administrators cannot ignore. My final observation is that if the recommendations of the advisory panel are followed admittedly the load of the administrators of the schools would be increased. But the school administrators on the panel felt this was not an undue burden nor a far out expectation. I think I've been an administrator over the years and I know it's a tendency for any administrator, what makes a good administrator is for the administrator to be as lazy as possible. That is the good administrator puts principles into effect that'll make most administrations run smooth, routine, and avoid a continuous round of hard decisions. A good administrator will always look for shortcuts. He's the guy who gets to be president of the company or for that matter general superintendent of schools. But sometimes problems are very complex and sometimes shall I say the values involved are of paramount importance, such importance that it is even necessary to make administrators work a lot harder. And this goes right down from the school principal through every hierarchy in the realm of administration. And I think on this problem what it means to the city of Chicago while as to metropolitan United States as a whole. I think that we should not worry too much about making administrators work harder. I am all for facing them with these difficult decisions and let them exercise the judgment, that is what they are getting paid for.

Mr. Adams. I would like to start with one or two questions which will maybe open it up. Just for complete clarity then as far as recommendation No. 2. No. 2—I think you and I talked about this briefly on Sunday afternoon, and I guess I misunderstood. The implication there is that any child from any school regardless of whether it is overcrowded or not might be in a position to apply for a transfer and I guess what I misunderstood was that this was related to the underutilization and overcrowding and that it was only the students in the overcrowded schools that could apply for transfer under that section.

Dr. Hauser. Well, Mr. Chairman, we did discuss that and I felt and I would still feel that the interpretation that you just stated is a quite permissible one. I think here is a point where we never tracked it down. It seemed to me that such a transfer plan put into effect only for overcrowded schools is one to which no exception can be taken as a way of optional untilization of space. Actually as I reread this I think it could be read, although I do not think this was the intent of the panel, to permit a child from any school. At this point I would say that either interpretation the board gave to it would be quite in order because this was not a device at all designed to achieve integration. This was a device designed to achieve optimal utilization of space, and there were other devices here for integration.

Mr. Adams. I think the board thinking on this plan was that there was the question of integration not questioned. There was the purpose of integration in it. There was also the purpose of who do you start with first. You have here a group of children who are suffering from two disadvantages, (1) they are de facto segregated and (2) they are also overcrowded and may be the ones that you try to work with first to alleviate the situation would be the ones who have the two disadvantages instead of the one.

Dr. Hauser. This seems eminently reasonable that was one question. Then the second question gets back to this question of priority of criteria for transferring, and some of the problems which you would run into. I agree with you completely that from the standpoint of mobility there may be a different weighting to the criteria in the high schools than there is in particularly the kindergarten to fourth grade. But even in the high schools the question I would ask is this, Is there not a pretty deep-founded desire, all other things be equal, for kids to go to the nearby or a nearby high school. If we do adopt a completely open enrollment policy, let us say within reasonable limits in the high school are we likely to run into a collision between the desire of numbers up to almost the capacity of the school who wish to go to the nearby school and who will be in conflict as far as application is concerned with children from considerably farther distances and then what do you do. Which has the priority? Is there a right which is implied by this desire which may also be based on the *Gary* decision in the courts and what do we do in a case like that?

Well, I think there are some straightforward answers possible here. To begin with, if you set up a larger attendance area, we said three or more high schools, you have redefined the situation so that everybody within that larger attendance area has the right to any high school. This is essentially the principle. Within that framework then you are recommending optimal utilization, that is, maximum self-determination or choice.

It may well be on a preregistration basis that you will get most people to go to the high school nearest them. This may well be the case. But you can at least give them a choice. If you find that you should get overregistration let us say theoretically that Negro parents have gone into a white high school, that is a white high school, in numbers which have crowded a good many people who have lived nearby out. Well then here it seems to me that this is the place for the administrator then begins to use judgment.

For one thing this can be phased so that those children who live close by and have acquired an invested interest by being say seniors, juniors, or sophomores, they certainly don't get displaced at this point. But you don't have the same vested interest so far as that freshman is concerned and this can begin on that basis if and as necessary. Moreover to say that you want to put priority on a high school student going to a high school that is 1 mile from his home instead of a high school a mile and a half from his home or even 2 miles from his home, that this is a more important criteria than the kind of thing that's involved in the future of Chicago for effecting an integrated school and educating both the white and Negro student for the life they must live in the general. I would say this would be a naive administrative decision. That the importance of effecting integration is much more important at the high school level than getting that high school student to travel 1 mile instead of 2 and I'd stand by that.

And I think these are illustrative of the way you'd go about dealing with that problem. I see no insuperable problems if commonsense are utilized and if, this is I think the essential thing, that the traditional implanted, deeply engraved concepts of a single area around a single high school, this must be obliterated to begin. If you start out with the assumption that you still got the same kind of school attendance area why then of course this scheme can't work. In fact, Mr. Chairman, you yourself used the language transfer. This is the old-fashioned language. This is based on the old-fashioned process. With the cluster principle students aren't transferring, they all have a right to the school. And what you do is use judgment to effect what's best for the interest of the child, the school, the city.

Mr. Adams. I'm not a lawyer, but I think I can see a legal point here which by redefining the attendance area it might stand up in court as opposed to the *Gary* decision where it was just a one-school basis for the attendance area. Whereas if this was a legally redefined attendance area that included two or three schools it might stand up.

Dr. Hauser. Well I'm not a lawyer either, but I doubt that the *Gary* decision could be interpreted as saying that it has supported the neighborhood school and I think this has been a newspaper headline decision. This isn't the decision of the courts as I read the decision.

Mr. Adams. Then there is also following what you just said there would be, whereas the decision might be in one direction in the high schools it might be in the other direction in the kindergarten to four.

I did have one other question that I would like to get on the table and that's this. We have had considerable discussion within the committee as to whether in trying to implement your plan, the panel's plan, it was necessary to do this with every school in the city or whether it could be pinpointed in areas where some integration would be effected by enlarging the boundaries; and whether we should or could do it in those areas only, and where it wouldn't have any effect on anything in particular in an all-white or an all-Negro area, not do anything there. I would like to get your opinion on that.

Dr. Hauser. I see not reason at all why such flexibility could not be followed. But again here's the problem of astute administration and policy. The whole purpose of the clustering is to create a situation to remedy what is admittedly a defect in our educational system now in Chicago today, as in other cities. And it seems to me unnecessary to say that if some children need castor oil, all children must take castor oil, I think that would be the analogy. I wonder if I might ask Dr. Crain——

Dr. **Crain.** Excuse me, I just wanted to say, however, that our actual recommendation as an ideal, the recommendation of the panel as I recall, as I reread it, is that this kind of freedom to choose your school is a freedom which kids should have pretty much, that there's no particular reason why the school system should specifically specify in every case. And if a student for any particular reason, he lives in an all-white area, he's a white child he wishes to attend another school for some special reason, there's no real reason why we should prevent him if it doesn't cause any great administrative difficulty. So if it were extended, I think the panel's recommendation was that if it were administratively possible to extend it to all schools you might just as well.

Mr. **Adams.** There would be no harm in taking the first step and Mrs. Wild. I think you had a question.

Dr. **Hauser.** Not at all.

Mrs. **Wild.** Well, I want to be sure I understand Dr. Hauser but I think these are the problems we had in complete understanding. You feel that in sophomore, junior, and senior level the student should still have your point 25 prior right to attend that school?

Dr. **Hauser.** Yes, although he also has the option not to if he wanted out, some of them want out.

Mrs. **Wild.** Well, that we understand. At the freshman level No. 25 could be dispensed with and 25 could be first come first serve basis of students. (No. 25 is prior right.)

Dr. **Hauser.** With may I say another principle of administration. First come first serve is another, shall I say, lazy man's device. I would say first come first serve within a framework of achieving your objectives. The objective is that integrated education, an integrated educational level which among other things will include white students. If you were to permit enrollment that gets schools that have been 100 percent white to suddenly become 90 percent Negro in the freshmen class, all you're going to have is exodus and you will not have accomplished your purpose at all.

Mrs. **Wild.** One more point. Along with what Dr. Crain just brought up, I happen to live in the South Shore area so we all speak of the thing we know best. We are an integrated area with Negroes on all sides. In this plan if you stay as you just suggested, Doctor, on the South Side, Professor Hauser says don't forget we can't have integration without white people. I'm working very hard toward keeping a stable area as Hyde Park, Kenwood did. Now I have a lot of people that are not just about to do this, and so we give them Districts 1, 2, 3, 4, and 5 to move to. We have no Negroes up there and, therefore, I think this is why I thought this plan was No. 1, primary importance because if I could say to John Jones, "Stay, stick this out, it's going to be fine. We're all going to live together. It's all going to be fine." And I'm doing this every day. They can't say to me, "I will not. I'm going to the North Side. District 1, 2, 3, 4, or 5. My children will be in all-white schools." Now this is a point that I think is extremely important, Dr. Hauser.

Dr. **Hauser.** Let me indicate what I would do in such a situation. I think that you could anchor your South Shore community if they knew that that high school is not going to have more than let's say one-third Negro students. That they will flee, if with the entrance of Negro students they anticipate as what has been the pattern that it will soon be 90 percent. The 90 percent will make them flee. But if this was a policy, and I'm talking now about what I call astute administration, or if you please, managed integration.

You've got the same thing going on with respect to housing in this city, Lake Meadows, Prairie Shores, Hyde Park-Kenwood, in which a Negro and white community are cooperating to achieve a balance in integration that can become stabilized.

Mrs. **Wild.** I would just like to know the answer of exactly how to go about it, because we really are working on this profoundly.

Dr. **Hauser.** We have done it in Hyde Park-Kenwood so far as neighborhood is concerned; they've done it in Prairie Shores and Lake Meadows and I can see no reason why that if intensive effort were made this cannot be done with the schools.

Dr. **Friedman**. If you gave students the option to transfer out as in recommendation No. 2, would you also give it to the white child who wants to flee an integrated school to an all-white school?

Dr. **Hauser**. Well, if you interpret this as going from the overcrowded school to the underutilized school, I would say that there you would have much more administrative latitude than it was, obviously, as the administrator can readily see a device of getting away from the white school. I think what you are trying to do is maximize choice. But you don't maximize choice in the way to create chaos or to prevent the achievement of the objective which is the policy of the board to state and to presumably get administered. If your objective is to achieve integration, by gosh, if you found that all the white students were fleeing from the school because of 10 percent Negro, I would see to it that they would stay put.

Mr. **Murray**. I would like to ask Dr. Hauser a few questions if I might. First of all I would like to say that, as you know as I have often indicated on the board, I am a strong advocate of the neighborhood school policy and, of course, have governed my actions on the board at all times with the hope that might be preserved. I was very happy when the Hauser panel report came in and it made some very commendatory statements about the neighborhood school policy. When the committee considered the Hauser plan at its first two or three meetings we were shown a map of the school system of Chicago and the location of every school in Chicago. Insofar as this committee would see, a far as we could note, there was no possible way to improve integration in any way by the cluster plan from the maps we had seen. I was wondering whether or not, Dr. Hauser, if the maps that we saw, the maps we gave careful attention to, were ones which the committee had access to or which they saw, because the way I looked at the thing I couldn't see where you could possibly do the job with the cluster plan that the Houser panel reported.

Dr. **Hauser**. Let me make a suggestion. We presumably say the same maps because the general superintendent of schools was quite cooperative and gave us all the information we wanted including the maps and locations of schools and the rest. The only thing we couldn't get were the things the general counsel of the board said he couldn't give us, about race.

I would like to make this observation. The board of education is a group of lay people. None of you were selected for your ability to read census tract data and 6-point type in the census volumes and the prolific records of the school system which must be adjoined in some way to work out the details of attendance areas. You are necessarily dependent on staff. If you had the time to get into this detail, assuming that you had the competence, you probably couldn't afford to be on the board of education. But be that as it may, what I'm suggesting is that this is essentially staff work and I'd say that you've got it at your command to ask Professor Havighurst, Dr. Crain is willing to cooperate, we see no problem in devising such clusters. Now this is just a matter of fact. Your question is it can't be done. Why don't you ask Professor Havighurst to set up a plan to see whether it can or can't be done. How this is no panacea, let me add. We have said explicitly in this report this will not effect integration in a sense that there will no longer be all-Negro or all-white schools, as long as you have the present patterns of residential segregation you're bound to have a lot of schools that are all Negro and all white. But I think the essence of the problem is this. I feel the advisory panel has proposed a very moderate as a first step toward effecting integration. I think, and I myself was delighted to see the extent to which the Negro community in Chicago through their leadership was prepared to accept this plan even though they recognized that it was moderate. May I say that I personally was delighted and as a matter of fact the panel was, too, that in our conversations with leaders of the civil rights movement in Chicago, that not a single person proposed that there be bussing to effect integration. And our own bussing proposal wasn't for that purpose at all. Not a single person proposed bussing to add-mix people for purposes of effecting integration.

Now this is a first step. It's a moderate proposal. It can be done only and largely where at the elementary school level where white and Negro communities adjoin. At the high school level, you have much more flexibility. And what I would say is that if the board feels it won't even make the effort to take this first step, then I think that there is reason for adding to the suspicion that a good part of this community already has of the board.

Mr. **Murray**. Another question I would like to propose to you, Dr. Hauser, with regard to the transfer plan as recommended by the committee. You say that in two cities this plan was tried and failed and it failed also in Chicago.

I think you said it failed in Baltimore and in Detroit, and that on two other occasions it failed in Chicago. Would it be your opinion, Dr. Hauser, that if the civil rights groups and the minority groups who have been continuously agitating for integration and elimination of de facto segregation would encourage and give this plan a trial, would encourage parents to give it a try and accept it rather than voice their opinions, voice their objections to it, to the press, on the podium, and various other ways, don't you think there would be some difference. Is that really why the Baltimore plan failed, and the Detroit plan failed, and the two plans as you say in Chicago failed? Isn't it because they were not popular and they weren't accepted by these civil rights groups?

Dr. **Hauser**. Well, I really can't answer that question, nor can anyone. But let me indicate some relevant elements in the answer. Would you really say the reason the plan failed is more that civil rights leaders objected to it, as against the fact that here is a family, a Negro family, with an income of under $3,000, where the carfare and the time involved in transporting that child relatively long distances which the Whiston proposals involves, wouldn't that be a more realistic barrier to the acceptance of this plus the psychological impediment of taking the child across the city to a school that she knows nothing about, where there is this tension, and is the average Negro mother going to let her child in a sense into an unknown tense situation? In my judgment these are much more barriers than the attitudes of civil rights leaders as such and may account for the attitudes of the civil rights leaders.

Mr. **Murray**. Well, Dr. Hauser, there's no point, of course, in getting into a discussion between you and me and I don't intend to do that. I think you've done a very fine job.

Dr. **Hauser**. May I argue this though I will argue as a positive note I would say that, "Yes, I would agree with you that civil rights leaders should support this plan at all points where parents let us say are in a position to afford to do so and cooperate." But I don't want to overlook the fact that there are some real hardships involved for some people.

Mr. **Murray**. You asked me whether or not I didn't think that it was a financial consideration that might have hindered the actual success of the two plans but I am of this opinion, Dr. Hauser, that the organized school boycotts, and the organized resistance to the mobile classrooms out at 71st Street, and the sit-ins and the other demonstrations did more to defeat the permissive transfer plan than any other one thing. That's my point and I say that if those interested would get behind it and devote the same amount of energy to the acceptance and adoption of this plan, at least as a trial, that it would receive some measure of success.

One more question, Dr. Hauser, that I'm a little bit confused about and it resolves itself around the statement you made that if the school attendance areas were drawn east and west where they are drawn north and south, and where the school attendance are drawn north and south they be drawn east and west that would automatically effect some sort of integration. Actually isn't that possible only where the attendance areas are almost perfectly rectangular. I mean, it seems to me that the school attendance areas are so irregular that nothing would be accomplished, that you simply can't draw the school attendance areas directly north and south or east and west.

Dr. **Hauser**. Well, let me say this, Mr. Murray, that in the present situation there is obviously and necessarily an awful lot of flexibility in the way the schools are administered, in the way attendance areas are drawn, in the way grades are grouped in specific school structures, in the way mobiles are placed, and in the way transfers are effected. I would say that any objective analysis of the flexibilities of these kinds now show very, very little evidence of any of these flexible tools being used to effect integration. In my judgment, the same flexible tools require no more flexibility than what the system already has if integration were made an object and an important objective could be used to effect more integration than now exists in the school system.

You look at the upper grade centers. They could be placed certainly to effect more integration than is now effected. Look at the mobiles. You could put mobiles into white schools adjoining the Negro districts to get more Negro students into these white schools than putting them into the Negro schools to keep the Negro children in their neighborhoods. Now given the administration of the neighborhood school policy, which was the board policy, I think where the mobiles are placed makes sense. But if the board of education has, in effect, changed its policy by saying it has endorsed the principles of the advisory panel report, and you are positively trying to effect integration, then I'd say that every one of the devices of flexibility to which I've referred and others that could be mentioned, could be used to effect integration, which are now actually reinforcing policies of de facto segregation and this goes for your question too Mr. Murray.

Mr. MURRAY. Thank you very much.

Mr. ADAMS. Warren, have you any questions?

Mr. BACON. Yes. Dr. Hauser given the present state of our situation with respect to having the Whiston plan already drawn up and very little effective work done so far on recommendations 1 and 3, do you feel that with the assistance of Dr. Havighurst and Dr. Crain that some implementation of recommendations 1 and 3 could be effected in time for September?

Dr. HAUSER. I do.

Mr. BACON. Do you feel that the overcrowding which most of our schools, or a good many of our schools are currently plagued with, is a predominant consideration in whether or not clustering should take place?

Dr. HAUSER. Well, let me say that overcrowding, of course, is one of the severe types of restrictions on good education and I would take the position as the panel did explicitly at other points in the report that there ought to be nothing incompatible with achieving good education and integration simultaneously, and that overcrowding, that is overcrowding, should be dealt with even while integration is being effected. I hate to see them posed as one an obstacle to the other.

Mr. MURRAY. Incidentally, when we made our study the average attendance excess of capacities of high schools was 32 percent for the city of Chicago. In the Whiston proposal when a school is defined as overcrowded if it's 25 percent. Now the difference between 25 and 32 percent, unless these figures have changed in difference, represents a set of schools and I've made no analysis of them that in a sense are getting an opportunity to have less overcrowding than is the average for the city. The difference between an average 25-percent excess and 32-percent excess could conceivably shelter some schools who for some reason are deserving of more consideration than the average school in the city. Now this is just from the numbers and I just raised the question there that may want to be looked at. Where you put these numbers also makes a difference on what happens and I think the specific meaning of these numbers ought to be traced out.

Mr. BACON. I think you've answered this question already another way, but I'd like to pose it again more specifically. Inasmuch as the clustering may not effect integration in certain sections of the city, that should not be the basis for not considering the effects of clustering in other areas.

Dr. HAUSER. That's right.

Mr. BACON. The northwest side for instance. If you cluster three, maybe six, schools you couldn't effect any more integration than they now have which is practically nothing. But still and all there are areas of the city where clustering will effect integration.

Dr. HAUSER. Right.

Mr. BACON. And that these other areas should not be used as a reason since you can't effect integration across the board for not doing it where you can.

Dr. HAUSER. I quite agree.

Mr. FRIEDMAN. We are now considering the Whiston plan and I'm concerned whether if we adopt this plan it would interfere with clustering. Has that question been asked?

Dr. HAUSER. Not necessarily, because what the panel actually recommended was a simultaneous implementation of recommendation 1 which involves clustering and also these other devices to effect optimum utilization of space. You could have the permissive school transfer plan although it varies a little bit from some of the details of what we have recommended it was envisioned it would be operating simultaneously with the clustering, so that, if I may put it this way, I see no objection to Whiston's plan at all.

Mr. ADAMS. A factor on the use of a school which might at the moment be involved in it which could be withdrawn from it and used in a clustering plan so that my own reactions to that question is that assuming that we can agree on the desirability of the plan as presented no matter how it is labeled as an implementation of one factor or one recommendation of the Hauser report why then we go to work on some of the other ones.

Dr. HAUSER. Let me say, Mr. Chairman, the only objection I think that has arisen certainly on my part to the plan is that it was publicized as a substitute for recommendations 1, 2, and 3. Now there I think that I certainly take issue and, may I say, I regret that my own observations in the matter have been in the press, but since my identification with this report the press keeps hounding me, and I have often been tempted to say "No comment" and just keep quiet but it's a little hard to do in the circumstances that we do have public obligations on the matter. But I'm always available and, may I say, I'd much rather be in the position of giving reactions to you first than to the press first but the press has been the only source up to this point.

Mr. **Bacon**. Then you would suggest the changing the title of this particular plan?

Dr. **Hauser**. Yes, I would call it permissive transfer plan designed to achieve optimal utilization of space and to the extent that it also promotes integration you've got what used to be called monea, but with a little extra bonus.

Mrs. **Wild**. I just would like, Doctor, to make one more clarification back to the elementary level. If we group schools, which was brought up by what Warren said, do we consider very definitely prior right of children residing in the area at the elementary level? Do we open at kindergarten through grade eight rather then fifth through grade eight and do we at any time forget prior right in the case of overcrowding and what do we do there?

Dr. **Hauser**. Now this becomes a matter of administrative flexibility. I will deal with the grade schools as we discussed with the high schools as the child is close to graduation and has a vested interest in the school certainly ought to be given a major—well the same would go for the seventh grader or eight graders as the case may be. And that you could begin doing say the things that involve greater mobility and transfer at the lower grades where the vested interest has not yet crept in. Now you might have to do a lot of this in one area and none of it in another area. This is why you have got to make the thing flexible. It may well be that the first year of the cluster plan may involve little more integration in specific areas than the permissive transfer plan. Nobody can testify to that. You are going to have to build up attitudes on the part of white and Negro parents. The second year would do more. It might do more on both plans but you have got two principals in the sense working for you when you do it.

Mr. **Bacon**. Dr. Hauser, don't you feel as though this term prior right has to be redefined in terms of the enlarged school areas because prior right is no longer the same thing as is used now under our present attendance areas?

Dr. **Hauser**. I will agree with that, with this one exception though.

Mr. **Bacon**. It seems to me that it would be kind of a cruel thing to take a child who has been in a school for say for 6 or 7 years——

Dr. **Hauser**. There is no objection there.

Mr. **Bacon**. And before graduation transfer him into another school. I think this certainly should not be done.

Mrs. **Wild**. Why make a little child walk 5 blocks when she could walk 2 blocks?

Dr. **Hauser**. Here is where the administrator has to do his work, and the principals, I think, and their assistants can manage to get this done.

Mr. **Adams**. I have one comment that might be appropriate at this time and I would invite the press' opinion on this thing. I have talked to Dr. Havighurst about what he has that is available. He told me yesterday, last evening, that they had some information on areas in which they considered the use of the cluster plan could make a contribution to integration. He did say to me, however, that he would be willing to talk with us about it except that he would not want the names and locations of these places to be discussed publicly for the reason that it could begin to create a storm in a locality, if that locality had not been prepared for it, or if it just is in the discussion stage rather than after the decision stage. Here I think we have a problem with our decision to open these meetings to the press and I don't quite know the answer and maybe you fellows can tell me what the answer is, whether we close up when we start talking specific areas or whether we can count on the press not to use the names of such locations until they are in the formal decision stage. This is a problem we will face. I think Dr. Hauser, you will recognize that problem too.

Dr. **Hauser**. Mr. Chairman, I was in Washington service as you know for a long time and the legislative branch of the Government always reserves unto itself the right for executive sessions. I think in the public interest I see no objection to an executive session on matters of this kind because our purpose here presumably is to bring about better education, and peace and harmony in Chicago: not more open fights.

Miss **Fleming** (reporter). May I make another suggestion to you, Mr. Adams? The trouble is with closed meetings many of us in learning something from people who take part in the closed meeting may read in our colleague's paper something that took place in the closed meeting. If you ask the reporters who cover the schools to get authority from their offices to listen and not cover we will then know what we will not use and nobody will be outwitting us. Competition does influence some of——

Mr. ADAMS. That's a good suggestion.

Mr. FRIEDMAN. Mr. Chairman, is it possible that we can talk about these schools by a code and still talk sensibly and intelligently about them?

Mr. BACON. No.

Mrs. WILD. I'm not that smart.

Dr. HAUSER. I would argue our report seems to be unintelligble enough even when it's not in code.

The CHAIRMAN. Any other questions?

Mrs. WILD. Well, just one. Dr. Hauser would probably agree to this, I am sure, but I would like to ask it. In some cases we didn't fail to have schools in contiguous areas with possibilities of going back and forth and basically that was part of the plan which we didn't really throw out one, two, and three.

Dr. HAUSER. This is not what the report says or what the press says, nor the impression that the public gets.

Mr. BACON. Dr. Hauser, do you feel that the civil rights groups who were mentioned earlier—do you feel that if there is any merit since they have been a part of the city that has been making comments on various actions of the board? I have certainly taken it to hold true for other groups that might have different points of view. Do you feel as though it can be of any assistance to furthering this effort to have these groups called in at strategic points in the deliberations of the board and let them at least vent their feelings and participate in the recommendations before they become final? In that way having them participate to a limited extent. You can perhaps forestall some of the criticisms you get when they see an accomplished fact.

Dr. HAUSER. I think there is a lot of merit to that point of view. Of course this is one reason we proposed the Friends of the Schools Committee. That adds on a provision for representation of all kinds of groups and as a matter of fact some civil rights groups are recommended on that committee. That committee might be used more effectively but in general I think this is always a very astute administrative device and my own administrative work in Washington wherever we anticipated a controversy, we generally made it a point to get the different points of view on the advisory committee and let them fight it out right there. Which incidently made it much easier for the administrator then to make a decision. Because they wore each other down and then you could do the wise thing.

Mr. ADAMS. I would like to make a point on that. Let's take a specific example—let's take the Urban League. I think you mentioned that they had a research outfit. First of all, I would always prefer to have a written proposal submitted to the group for consideration. On the other hand, you are not only a board member but a citizen and you, as a citizen, have every right to go to the Urban League and sit down with them and ask what they would suggest in this case and present it to us yourself for that matter. I would insist that the first presentation of any such plan like that should come to us in writing then if we choose to get a group in and confer with them in person this is a decision we can make at that time.

Mr. BACON. Cy, I didn't have that in mind. I think first of all that it is the obligation of the board to do its own work and it isn't up to other organizations to prepare proposals. I think I was basically thinking in terms of getting the reactions and the views of various groups on these things rather than having them sit down and draw up a plan for us and present it.

Mr. ADAMS. I misunderstood you.

Mrs. WILD. Do you think our citizens committee could accomplish that, Warren? Do we have enough representation?

Mr. BACON. Oh, it could be used to that end. I think there are other organizations that are not represented on the citizen committee that perhaps would be interested, would be helpful. The Citizens Schools Committee I believe, are they represented on the Friends of the Schools? PTA is represented, and the Urban League. But I think this is a way that you can get the ideas of people and put them in the pot and look at it rather than wait and allow people to only react.

4

Mr. **Friedman.** Do you think, Mr. Chairman, that there is any chance for that glaring defect to be remedied in the representation on this advisory committee, that the Citizens Schools Committee will be eventually represented on it?

Mr. **Adams.** This would be for Mr. Whiston because he's the one that appoints this committee.

Mr. **Friedman.** Maybe this committee could make the recommendation that it be filled out.

Mr. **Adams.** I don't know why they weren't appointed in the first place and if there was any reason what it was. I think the thing to do would be to talk it over with Frank.

Dr. **Friedman.** Frankly I will.

Dr. **Hauser.** May I say that certainly what we had in mind is that any group that had evinced definite interest and was taking positions should be included. And again I would urge that as a matter of just good public relations. Many people object more to not being heard than to being turned down once they have been heard. This is an American tradition.

Mrs. **Wild.** He's right.

Mr. **Adams.** Any other questions of Dr. Hauser?

Mr. **Bacon.** You will be available?

Dr. **Hauser.** Unfortunately I will be here most of the summer. If it gets too hot I shall leave it.

Dr. **Friedman.** Will Dr. Crain be here this summer or have you got him tied down with some graduate work or postgraduate work?

Dr. **Hauser.** No, he's a free agent. Professors at universities have no bosses. He does what he pleases.

Dr. **Friedman.** You are on the staff of the University of Chicago, I see.

Mr. **Adams.** Thank you very much.

(Recess.)

(At this point Dr. Willis left the meeting to keep a previous appointment as mentioned at the outset of the meeting.)

Chairman **Powell.** The committee will stand adjourned, and I hope it will be possible for you to come back around 5 o'clock, and also the remaining two witnesses.

Mrs. **Bosky.** I don't know if you want this as a matter of record, but it is the name of seven high schools that have been built within the last 12 years, and you can check on them.

Please do check. They have been built under Dr. Willis' administration, and there are two others that we are not sure of, but we think that they have been.

Mr. **Pucinski.** Mr. Chairman, I merely want to comment that Mrs. Bosky is a very brave woman——

Mrs. **Bosky.** An outnumbered woman.

Mr. **Pucinski.** Who has come to Washington, and she takes a very active part in all civic affairs. She certainly has made a very thorough study of the school board. I am not sure that we would agree with all the remarks in her statement, but she reminds me of the ancient Romans who gave first meaning to democracy. They provided that any citizen can speak out on any subject in the public square under one condition: They would put a noose around his neck.

Mrs. **Bosky.** I feel very much as if I had one.

Mr. **Pucinski.** If they didn't agree with what he said, he would be promptly hanged.

But you can see that before this committee we don't hang anybody. We let you come in here and make your statements, and I think that you have made a very elaborate statement.

I might say that many things that you have said are things that perhaps all public officials ought to look carefully into.

I am hoping, Mrs. Bosky, that you, along with all other witnesses who have appeared before this committee, will be able to get together when you go back home and work this problem out. I am sure that reasonable men and women can reach reasonable solutions.

Chairman POWELL. I will insert in the record at this point a statement from the Social Workers for Human Rights, by Jan Linfield and Paul G. Shane.

(The statement referred to follows:)

STATEMENT OF THE SOCIAL WORKERS FOR HUMAN RIGHTS

The facts of inadequancy and segregation in the public school system in the city of Chicago have been presented and documented in numerous outstanding reports; i.e., the Hauser, Havighurst, City Schools Committee, and the Urban League reports. We will not duplicate these excellent studies, for they completely describe the situation and contain ample suggestions for improvement. Unfortunately the reticence of the superintendent of schools and his administration to communicate with the public leaves us with little concrete knowledge as to any plans for implementation of these improvements.

We wish to address ourselves to the problems of the inadequacy of the schools and their segregation from the vantage point of workers in social agencies. We see problem situations which, in many instances, should be handled within the public school system. The public schools have the potential for early detection and preventive treatment of possible problems that damage children emotionally and intellectually. This would be more economical to the community and much more effective than the present hit-or-miss detection by social agencies. By the time social agencies find such children, we have to treat them on a rehabilitative level. At this treatment level there is much less chance for success: it is also more time consuming, and therefore, more expensive. Equally important is the fact that, under these circumstances, there are many children who never receive any help at all.

As social workers, we come face to face with the refusal of the public school system to deal with exceptional children. We find ourselves picking up after the public school system in its failure to deal with the special problems which the exceptional children in our city face. The school system in Chicago has failed to deal with the problems of any minority group in a creative and positive way, whether these be racial or ethnic minorities, the socially and economically disadvantaged, the mentally retarded, the handicapped, the socially maladjusted, or the gifted.

As a defense against criticism, the school board has a policy of tokenism; i.e., instituting a pilot project in one school district and using this as an example of what they have accomplished. For instance, school district 11 was cited for its program of preventing school dropouts and special services to disadvantaged children using a school social worker.

We need more than one full-time school social worker in a school system serving over one-half million children. There are only 85 psychologists in the entire school system. One psychologist cannot possible handle the volume of need for testing, let alone counseling, over 6,000 children.

The State of Illinois has allowed funds for school social workers employed by local school districts at the rate of $3,000 per year. Our school administration has not seen fit to use the source of funds. Instead of having widespread social work within the system which would be a preventive family based service, the school administration uses punitive measures for disciplinary problems. When a child is disruptive in school, he is first sent to an adjustment teacher or the principal for a reprimand or a talking to. The adjustment teacher or guidance counselor deals primarily with disciplinary situations. If the child cannot respond to this and continues to act out in school, he is punished by being suspended. The policy of suspending children denies these children their right to a free public school education. Children are suspended from schools for a whole range of reasons. Suspension may be for 1 day or longer. We have dealt with cases where children have been suspended time after time totaling up to months in a school year. While under suspension, no attempt has been made to treat the child. Some children are suspended pending evaluation. For these children the lack of adequate psychological and socal work staff results in a virtual expulsion from the public schools. Through intervention of a worker in a social agency, such a child may finally be readmitted but only after much time, effort, and money has been expended to reestablish the child's right to a free, public school education.

Other archaic and inadequate ways of dealing with socially maladjusted children, mainly those who are truant and disruptive, are social adjustment classes (which are few and far between); three social adjustment schools, two for boys and the other for girls; parental school, a short-term residential facility. The end of the line are St. Charles, Geneva, and Sheridan—prisons for children. There is also an excellent but grossly overworked facility for clinical diagnosis through the Illinois Youth Commission. However, once diagnosed, there are virtually no facilities for treatment available, under public auspices. The treatment facilities that do exist are almost impossible to get into due to overcrowding and long waiting lists. In this train the child from the Negro community, the lower socioeconomic communities, and the Spanish-speaking communities are the most neglected. Where the need is unequal, equal lack of service becomes segregation and discrimination. With a stated concern for the protection of society children are destroyed. Only those who are most disruptive get any attention at all. Other children with problems are pushed along until they either leave the school system voluntarily or are ejected.

In areas of high mobility, the rigid application of the neighborhood school philosophy leads to frequent school changes. In some schools in these areas, the yearly turnover rate has been as high as 200 percent; i.e., Stewart, Stockton, and Goudy schools in the uptown area. Families move for various reasons, sometimes from block to block. Often the move necessitates going to a new school. Constantly adjusting to a new school on top of other problems decreases any possibility of an education for these children. This changing of schools occurs even where very young children could easily walk to the original school. This is just one example of the lack of flexibility in dealing with individuals, and blindness to social problems and differences in community needs. All of these schools are in communities of ethnic and racial minorities of lower socioeconomic status.

On the other hand, gerrymandering of school districts to maintain color and class segregation leads to elementary school districts that may be 10 blocks long and 2 blocks wide; i.e., Bret Harte School, Brenneman School, and M'Cutcheon School, or high school districts that are 7 blocks wide at points and 2½ to 3 miles in length; i.e., Schurz School. These schools seem to have been designed to serve children of middle and upper class communities bordering minority communities. On the one hand, there is rigid adherence to a neighborhood school philosophy, on the other, the neighborhood assumes convenient shapes.

Social agencies and private groups have instituted tutoring programs to supplement, and even substitute for the education received by children in the Chicago public schools. They can be found teaching English to non-English-speaking children who do not receive this service in the schools. They can be found working on remedial reading with children from first grade level through seniors in high school. They are teaching mathematics and history which the children have not been able to learn in school. While the Commission on Human Relations is coordinating voluntary agency tutorial programs throughout the city, which are myriad, the school administration rejected an offer of tutors to work within the school system during the summers of 1964–65. These tutors of the urban-suburban youth project were rejected ostensibly because they had not been certified. At a number of our high schools there are intraschool tutoring projects—students tutor each other. Is this difference in attitude due to a desire to keep outsiders from learning about the schools' shortcomings? To say that the situation is worse in the Negro ghetto is an understatement.

The kind of an education that is received by minority group children is clearly etched. A group worker in one area working with a group of children in a rehabilitative group discovered that there was an average drop of 10 points in IQ scores between the time those children were tested in first grade and again in third grade. This has further been documented by Dr. Benjamin Bloom of the University of Chicago, in 1961. He found substantially the same situation in other disadvantaged communities. The lack of special services seems to show a policy of indifference to the child with problems. In a school system unable to deal with problems of the exceptional child the average child is penalized.

The school superintendent is constantly claiming lack of funds for special services, at the same time claiming that the needs are being met. An example of this, taken from the proceedings of the regular meeting of the board of education, Wednesday, July 10, 1963, from a statement by Superintendent Benjamin C. Willis on page 3 of the printed proceedings, "* * * now I shall list 25 measures which have been undertaken to improve the quality of education of children whose special needs grow out of the low educational and economic environment in which they live * * *." He then goes on to list the 25 measures which include dental clinics and medical examinations to the indigent, special service teachers, initiating a social work program, service to dropouts, etc. On page 4 of the same report, Superintendent Willis goes on to say, "* * * the 1963 budget reflects the fact that our resources are limited * * * it was necessary to raise class size * * * cut expenditures for desired equipment * * * curtail expansion of special programs * * *" etc.

As social workers, we attest to the fact that on grounds of race, color, national origin, and economic status, children in the city of Chicago are "deprived of the benefits of," "subjected to discrimination," and "excluded from participation in" a public school system receiving Federal financial assistance. (Quotes taken from title VI, section 601 of the Civil Rights Act of 1964.)

We, therefore, respectfully request the committee do all in its power to help improve this situation. If persuasion and consultation cannot be made to work, and we hope they can, other means will have to be found. It is with great reluctance that we suggest that Federal intervention might have to go beyond this. If need be, the withholding of Federal funds from the school system might help the school and city administrations recognize the law of the land and respond to the demand for quality, integrated education for all the children of Chicago.

Respectfully submitted.

Chairman Powell. The committee stands adjourned until 5 o'clock.

(Whereupon, at 11 a.m., the ad hoc subcommittee recessed, to reconvene at 5 p.m., the same day.)

AFTER RECESS

(The ad hoc subcommittee reconvened at 5 p.m., Hon. Adam Clayton Powell, chairman of the subcommittee, presiding.)

Chairman Powell. The committee will come to order.

Mrs. Bosky, if you kindly will wait until the other members return for questions, we will go on with the next witness. Mr. Albert Raby.

Mr. Timuel D. Black, will you step forward, give your name, address, title, and organization represented?

Do you have prepared copies of your remarks?

STATEMENT OF TIMUEL D. BLACK, PRESIDENT, CHICAGO CHAPTER, NEGRO AMERICAN LABOR COUNCIL, CHICAGO, ILL.

Mr. Black. I passed them out this morning, Mr. Chairman.

My name is Timuel Black. I live 5059 Ellis Avenue, Chicago, Ill. I am president of the Chicago area chapter of the Negro American Labor Council.

I would like to preface my remarks very quickly by saying I noted yesterday's statement wherein the superintendent indicated that teachers in Chicago public schools were free to make choices. I am a certified teacher in the Chicago public schools and I didn't know of that at the time 8 years ago when I was being taken for certification.

So I would like to say at least one exception of a history teacher in the Chicago public schools did not know of that choice or opportunity.

Mr. Chairman, I have a speech made by Mr. Fairfax Cone, a member of the board of trustees of the University of Chicago, and who was formerly a member of the board of education, who resigned under a thin veil of protest because of the lag of the board on the issues of quality and equality in education.

As I said, I passed out my prepared statement this morning.

Chairman Powell. Without objection, your prepared statement will be included in the record at this point.

(The statement referred to follows:)

STATEMENT SUBMITTED BY TIMUEL D. BLACK, PRESIDENT OF THE CHICAGO AREA CHAPTER OF THE NEGRO AMERICAN LABOR COUNCIL ON BEHALF OF THE CHICAGO CHAPTER

Mr. Chairman and members of the committee:

My name is Timuel D. Black. I am the president of the Chicago area chapter of the Negro American Labor Council. The national president of the Negro American Labor Council is Mr. A. Philip Randolph, who sits on the executive committee of the highest council of labor in this land, which is the American Federation of Labor and the Congress of Industrial Organizations. Mr. Randolph is and has been for a long time, deeply disturbed by the plight of Negro young men and women in the area of trade and vocational apprenticeship training. He is watching with a great deal of concern the events in which we are engaged in Washington on that matter today. I would venture to say that this momentous opportunity which you afford us is crucial to the whole prospectus for preparing Negro youngsters for the work and citizen's role in our dynamic and ever changing society.

In addition to being president of the Chicago area chapter of NALC, I am also a certified high school social studies teacher in the Chicago public schools. From these two vantage points I have the unique opportunity of observing and helping young people prepare for the world of work and citizenship, and to observe what the results of such preparation has wrought. At this point in our history and in the public school system of Chicago, the results of the preparation of Negro boys and girls for life and living is a sad, sad, story. The unemployment, crime, and morbidity statistics will bear me out on the state of this real sadistic and criminal inequity and negligence.

Unless some preventive and correctional steps are taken, and soon, I am afraid for the future of our Negro youth, hence our cities, and even our Nation.

Poorly prepared, preferentially discarded and rejected young people can hardly be expected to be responsible, efficient, wage earners, and good citizens. They have no real reason to be so. Negro boys and girls in Chicago are being pushed rapidly, because of prejudiced ways of handling their education, to the brink of aspirational despair.

All around them, they see and experience a society which demands more and greater skills and at the same time find the doors of opportunity locked against them.

According to some statistics, published by the U.S. Office of Education in 1960, only seven out of a hundred Negro youth who enter high school will go on to college. Only three out of that seven who enter will finish. More than 55 of all those entering high school will leave before graduation for varieties of reasons. The approximately 38 who stay and finish will then have to find employment normally open to high school graduates. As things stand now, almost none of those 38 young people could get a decent advance training opportunity at our trade or vocational schools. They cannot even enter the Washburne Trade School which is a public school supported by tax moneys. It will only accept boys who have been sponsored by a craft union and/or an employer in the field. Negroes historically and at present have been and are systematically excluded from work opportunities because of union policies and hence are excluded from the chance to gain training at Washburne in the skilled trades. How can they be prepared?

In 1961 the Negro American Labor Council in cooperation with the local chapter of Committee on Racial Equality, conducted a survey of the Washburne Trade School situation and discovered the following: that approximately 1 percent of its enrollees were Negro, (26 out of 2,682) and that out of 12 trades surveyed, only 5 of those had any Negro apprentices. This was shocking and we immediately set about to try to bring this to the attention of the proper authorities for correction.

We categorically charge that Washburne Trade School is the prime example of deliberate, flagrant, cruel, and massive de jure segregation in the North.

It is in violation of the State laws of Illinois which prohibit segregation in the public schools of Illinois. It is in violation of President Kennedy's Executive order of 1962 on trade and vocational training. It is in direct violaton of the Vocational Education Act of 1963, and of the Education Act of 1964. It is also in violation of the Civil Rights Act of 1964. But even more than that, it is almost criminal violation of a basic and cardinal principle of our democracy and that is that "all men are created equal and are endowed by their Creator with certain inalienable rights * * *," which later gets legal support in the 14th amendment to the Constitution of the United States, which prohibits discrimination on the basis of race, creed, or color in anything which is publicly used or owned. We charge that the Chicago Board of Education, under its present general superintendent has knowingly and deliberately violated these laws and in the process of doing so has been directly responsible for educationally, and psychologically maiming untold thousands of Negro children. It is not just the refusal to admit into entrance that damages children, it is also the withholding of information, or discouragement of school personnel from attempting to try to move ahead.

We in the Chicago chapter of the Negro American Labor Council have tried again and again to get the Chicago Board of Education to correct these violations but have only met with rebuff, evasion, and downright lies.

On October 27, of 1961, Mr. Willoughby Abner, who was then the secretary-treasurer of the Chicago chapter of the Negro American Council, and who was also a national vice president, appeared before a special subcommittee of this body to testify on the Washburne situation. He indicated that on the previous Monday he had appeared before the board of education in an annual public policy hearing session. He confronted the present general superintendent of Chicago public schools with the question of whether or not the superintendent believed that the board of education had some responsibility in combating discrimination in the apprenticeship training program at Washburne in view of its direct involvement and the use of public funds. The superintendent, a man being paid by public funds, answered this taxpaying, curious citizen's query with a "no comment."

In December of that same year, as president of our local chapter, I also appeared before the board at its annual public budget hearing on this same subject. The object of my appearance being to request that the board correct the situation or withdraw its financial and student support from Washburne. When I started to begin my statement, Mrs. Wendell Green, who is known for going right down the line on anything to support the status quo, requested that I quickly summarize my statement because "it was too long," and that "it was late," and the board was not "interested in hearing some sing-song account of our grievances." I was taken aback, flabbergasted, and frankly became damn mad, because in all my years of attending board of education meetings, I had never heard such a request before. I refused to submit to her request and after some give and take with her, while most of the other members of the board remained unusually silent, I asked the president of the board, Mr. Claire Roddewig, if I was going to be permitted to make my statement in the same manner as all the preceding people. He answered yes, and I proceeded with a statement which was about 10 minutes long.

As soon as I finished with my statement, Mr. Thomas Murray who is now vice president of the board and who is the president of Local 134, of the Brotherhood of Electrical Workers Union, which at that time had only 10 Negro apprentices enrolled out of a total of 713, spoke to me. His face was flushed and it was obvious to everyone present that he was very angry. He accused me of not presenting the case accurately. He said I had made it appear that the skilled trades unions deliberately discriminated against Negroes. He said that such was not the case at all. He said that it was in the tradition of the skilled trades, to admit whom they pleased, and that only incidentally were Negroes the victims more than whites. He said that if there were Negroes in those skilled trade unions they would have the same privileges of using discrimination as the whites now enjoyed.

I asked him if he felt in the light of the need, and of America's position in world affairs, as a nation which preached equality for all, whether he believed that it was right to follow this discrimination with taxpayer's money of which the Negro taxpayer's was a part. He did not answer.

The board then had very animated discussion on this problem and generally agreed that something must be done about it immediately. I believe, as is customary in all such matters, that a committee was appointed.

Prof. John E. Coons in his report to the U.S. Commission on Civil Rights of 1962 reports that "in a conversation with the superintendent he made no effort to defend the policy of admission at Washburne." "He merely pointed out what he felt were analogous failings of the Federal Government citing the paucity of Negro workers hired for construction of Federal buildings in Washington." But this is precisely the point. Quoting from a study entitled "Employment Book 3, 1961," issued by the U.S. Commission on Civil Rights, "The pattern of vocational and trade education supported by Federal funds adopts the discriminatory employment patterns of the past and perpetuates them for the future by denying to Negroes opportunity to obtain training in old and new fields. To the extent that openings for Negroes do occur in these fields, there are few who are trained to fill them. The circle of discrimination is then complete. Few are qualified, because few will be hired; few will be hired because few are qualified."

This is just where we find ourselves in vocational and skilled trade training in Chicago public education.

To me, it is absolutely incredible that the man who headed up President Kennedy's Committee on Vocational Education and returned a report recommending expansion of vocational facilities and opportunities for America's youth, would ignore or refuse to follow his own advice in the one place where he can best implement it, namely Chicago.

To me it is incredible that a board of education, knowing of its own violation and knowing of the work of its own superintendent in these matters would fail to adjust and follow them.

The only reason that I can find that a superintendent and a board would fail to meet the requirements and the recommendations of these new regulations is that they have a hidden, unspoken, but very real policy of discrimination in these areas. This is not de facto segregation, but absolute and deliberate de jure segregation.

Mr. Chairman and members of this committee, the Negro American Labor Council has returned to testify in protest of this condition at Washburne Trade School again and again, year after year, with no substantial results obtained. In 1961, the percentage of Negroes in Washburne was about 1 percent. Today it is about 2 percent. At that pace, Mr. Chairman, you and members of your committee will have gone on to glory long before there is integration at Washburne. We cannot afford to wait so long.

In even the skilled trades that have opened up, all that we see is tokenism.

A Negro here and a Negro there—it's the style these days to say "we're integrated" when there is only one or two or a handful of Negroes around. But we Negroes know by testing that the unwritten policy remains the same, "no shines need apply."

To point this up and illustrate a continuing situation I would like to quote from a letter to School Board President Mr. Frank M. Whiston, dated June 5, 1964, by Mr. Ely M. Aaron, chairman of the Chicago Commission on Human Relations.

(See letter in correspondence "From desk of Ed Marciniak") as you can see from these quotes, not much has happened or is happening.

On April 7 of this year, after having testified as usual at the December board of education budget hearing, I forwarded a letter to Board President Whiston informing him of my organization's concern and growing anxiety over this problem. I requested a meeting of the vocational and trades subcommittee of the board of which Judge Edward Scheffler is the chairman. I forwarded copies to several other people on the board and to Mayor Richard J. Daley himself. On April 23 of this year, I received a reply from Mr. Whiston stating the following:

(See letter dated April 22, 1965)

(To this day I have received no reply or request to have a meeting from Mr. Willis or from Judge Scheffler.)

At an earlier date, on January 26, 1965, a meeting of the subcommittee and the mayor's commission on human relations met at 9:45 a.m. in the board of education offices. We were not invited but we had a very good, well-trained friend there who took verbatim notes.

In order for you really to get a clear-cut picture of the carnival atmosphere, the contempt, and disdain that the members of this committee have for solving the problem of quality and equality for all of Chicago's children, I would like your permission, Mr. Chairman, to read the conversation of that meeting in its entirety.

(See minutes, Washburne Trade School committee meeting.)

As far as I know, Mr. Chairman and honorable members of this education committee, there have been no meetings of this subcommittee since.

I would ask that you answer for yourselves, ladies and gentlemen, if it seems as though this subcommittee of the board, and the board itself, and/or its chief administrator, are acting with dispatch, with intelligence, with honesty or in good faith on this matter. It seems to us, in the Negro American Labor Council, that it is not. The resolution passed by the board as its July 17 meeting as far as we are concerned, is just window dressing—another stalling tactic—and will never be implemented in substance until an outside but related agency forces it to do so. We believe that such is the legal and moral responsibility of the legislative branch of our Government, represented by your committee.

Since June 10 of this year, the streets of Chicago have been filled, in the downtown area, with marchers protesting the vile and despotic handling of the school situation in Chicago. On this past weekend, under the leadership of Albert Raby and Dr. Martin Luther King, we held rallies, marches, and other forms of demonstrations.

They are continuing and will continue and will grow in size and momentum until justice in education is ours. No man could ask no more—we will accept no less. We will continue to put the battering ram of our bodies, our lives, and our fortunes to the wall of race prejudice and its concomitant evils, of discrimination and segregation until like the walls of Jericho they come tumbling down.

We are many Joshuas and we grow daily in number. We know we are legally and morally right and we cannot afford to lose because if we do, America loses.

Therefore, Mr. Chairman and members of this committee, we of the Chicago area chapter of the Negro American Labor Council are asking that you demand immediate correction of this situation or that you withhold the funds that help to perpetuate it. We feel that it is your duty and responsibility to uphold the law as it has been enacted by the legislation covering this phase of education.

I want to thank you so much for this kind and rare opportunity, and may God bless each and every one of you as you come to a fair decision.

Respectfully submitted.

Mr. BLACK. Mr. Chairman, I should also like to have made a part of the record, with your permission, the minutes of the particular board meeting referred to in my statement.

Chairman POWELL. Without objection, it is so ordered.

(The document referred to follows:)

March 23, 1965.

DEAR MR. BLACK: Here is the copy of the Washburne Trade School subcommittee.

Trust you will find it interesting.

We shall overcome.

Sincerely,

KATHERINE SIMONDS.

WASHBURNE TRADE SCHOOL COMMITTEE MEETING

This subcommittee of the board of education was made up of Board Members Friedman, Green, and Murray, together with Edward Scheffler, the chairman. The committee met at 9:45 a.m., January 26, 1965, in the president of the board of education's office.

Others present included James Coffy, legal counsel for the board of education and Mr. Maurice Hemowitz, human relations bureau, and department aides from the latter division of the board.

Edward Marciniak, human relations commission of the mayor's office, together with Mr. Ely Aarons of the same department; Mr. Thomas Nayder, secretary-treasurer of the Building Trades Council, AFL; Mr. Ralph Winslow, president, the Builders Association, were among other officials present. (The only Negro present was Mrs. Green, board member.)

There was a representative of the Citizens Schools Committee, this observer, two TV men and three reporters included in the small group of listeners.

SCHEFFLER. The meeting is called to order. I must say I believe we are here to make out a set of working rules to cover apprenticeships at the board of education administered Washburne Trade School, but I can't see really what this is all about. It seems to me this is clearly a matter for the human relations commission.

MARCINIAK. I have come here, we are here, with the understanding that we have offered the facilities of the staff of our human relations commission so that you could think the matter through and advise your committee along such lines so that they could come up with a set of rules that would cover apprenticeship training at the Washburne Trade School. I made myself quite clear that this was your responsibility since funds for the maintenance of this program are administered by the board of education. Thus it is not a matter for our office. I felt that this meeting was based on an assumption that it is a question of working out procedures as to how this apprenticeship system is to be set up, particularly since Federal funds are involved, as well. I called you Wednesday. You said you "misunderstood" my call; so the matter is where it started from. But this is your responsibility, that of the board, for you are the administrator of this program and you are involved with the matter of administering Federal moneys.

Friedman. It should be, it seems to me, a matter for the committee here, for the Building Council, for employers, for the human relations department and staff to draw up a set of rules to avoid charges that are being made now that we accept discriminatory practices * * * as is now being charged. Is it possible that all of us are not aware of this? I am wondering—has the board committee decided to take appropriate action?

Scheffler. We are not ready for it.

Marciniak. We specifically asked the board of education to take appropriate action. We are confused.

Friedman. What we mean is that we can't say as to details yet; we would like a set of standards—we should like to see what a set of standards look like—to give to the board.

Marcianiak. I think we have gone beyond this point. The commission has looked into trades where there are no Negroes in the apprenticeship programs and in trades where they are discriminated against. If these trades can determine whether they are or are not discriminating against Negroes, this is a matter for the board of education and not for the human relations commisison. The board dispenses public funds, city, State and Federal. We are not taking responsibility for what is clearly your area.

Scheffler. Is it the commission's right to tell the board how to run its affairs?

Marciniak. We have called your attention to certain trades that never had any Negroes in their apprenticeship program. If they have used or are now making use of the Washbourne Trade School facilities for training, we feel it is your responsibility to do something about it. The board has given these trades a clean bill of health. You should review that process of adjudging them discriminatory.

Scheffler. Our difference is that the picture is no integration. We run into the determination of discrimination.

Marciniak. You should use internal procedures.

Scheffler. We run into legal difficulties here. If we say a union is discriminatory, we run into the danger of a law suit. We want support to determine liability.

Marciniak. Why are you afraid of the problem? A Federal judge (cites the case before Judge Campbell), professors like Dr. Hauser and Dr. Havighurst have pointed up the discrimination and they are not sued.

Ahrens. You have the obligation of determining the problem.

Friedman. One nice "out" we have is that we can direct the superintendent to do it, to write a guideline for us.

Scheffler. The human relations commission has written letters to various groups and aparently didn't get any place. They wrote letters to the State office of public instruction and didn't get any place. The responsibiliy lies somewhere. Because we get funds from various public agencies we should bring in these agencies to see what they can do and how we can work out an amiable program.

Friedman. I think we should make a motion that the board committee will ask the board to direct the superintendent to set up guidelines to insure that unions in apprenticeship programs are not practicing discrimination in setting up apprenticeship.

Aarons. I believe that you can go farther than this. I believe that Federal funds are available which effectively demonstrated that these apprenticeship programs are open to all qualified persons. I believe that this committee, your committee, should direct the general superintendent to meet with representatives of committees of the building trades and others so engaged, such as employers' associations and contractors, with some statement that the board will not give its facilities or funds to such unions or groups unless they effectively demonstrate that their recruitment and training programs are not discriminatory.

Coffey. This is an apprenticeship fund here that is reimbursed with Federal funds. It does not come directly from the Federal Government.

Aarons. As I understand it you put in twice what the Federal Government does.

Coffy. In order to qualify for Federal funds, the unions have had to file affidavits that they do not practice discriminatory procedures * * * as to their apprentices

Murray. I do not see what business of the board it is how the unions run their affairs * * *. It has been contended that certain trades are following discriminatory practices. Why don't Federal agencies do this job of delving into this, instead of the board of education? Why put this onus on us. They give us the money; it is their job to find out who or which union discriminates, if any. Let them or let you do this. And by the way who are these discriminatory trades? I don't think this our responsibility. It goes into union affairs and contract matters that are contract concerns between management and union.

Green. The difference is they aren't putting up any money. We are.

Murray. I think our responsibility is finished by those programs, that is administration of those programs that are approved by the Federal training program.

Green. We are in a situation where our procedures of administration are being questioned, Mr. Murray. We are in a situation where we are changing our program to meet the challenge of our times.

Murray. So are the trades that are being accused * * * it is going to take a trade a long time to change its practices. It will take time. To force these trades to use the Washbourne Trade School, since all this Federal intervention, or other intervention has started, some trades have refused to indenture apprentices. The unions will not stand for this. They will do one of two things: (1) they will train their own apprentices at their own schools or (2) it will force them to stop their apprenticeship programs.

Green. The Board of Education is changing in all areas. We are trying to work out a program that is equitable * * *.

Murray. The human relations commission is doing a good job, but they should stay out of the board of education. This is no place to bring the controversy. I can speak for one trade. As an officer of Local 134 of the Electricians, we have tried to cooperate with the Federal law. But it took us 18 months to get the new procedures to work. And during this time we took in no apprenticeships, apprentices, that is, until we had worked it out with the Government. What I am saying is that other unions are facing the same thing. It will take time for them to work all this out.

Marciniak. In 1961 we met with the trades, the contractors, and other interested parties and after several years we found this was not working, so, after these several years, we decided to do something more effective. The bulk of the trades using Washbourne Trade School had charged their policy, somewhat, in regard to discriminatory practices, but there were four large main union trades that had no movement—that had stayed static. These included pipe fitting, sheet metal working, structural iron working, and foundry working and pattern making. These are the trades that never had any Negro apprentices. We had no satisfactory answers from these people. It was at this point that we decided that since Federal funds were involved, we decided to bring in other agencies where these funds are involved to see what discrimination exists. That is why we bring in the board of education to make it clear that they are not giving funds to unions for their apprenticeship programs when these unions practice discrimination in recruitment and training.

Murray. What trades do you want to deny the use of the Washbourne School? It is not our job, the board's job to see whether they do or do not discriminate. The board of education cannot interfere in labor agreements and these unions are involved with agreements which we have no jurisdiction over * * *. Maybe you want to sabotage the Washbourne Trade School? I think you have the intention to do so. You haven't? I think you have demonstrated that you have.

Marciniak. Your own counsel would admit that under the 14th amendment where Federal funds are involved, the question becomes one of rights of an individual under the law, the Federal law, and where discrimination is practiced * * *.

Coffy (interrupts). The board of education is just one of these agencies so involved. Did you contact the Department of Labor?

Marciniak. It is not the Department of Labor that is involved here. It is the Department of Health, Education, and Welfare. They said they are drafting rules and regulations under the new legislation. I don't know what is the opinion of the State department of vocational training.

Chairman Scheffler then introduced Mr. Ralph Winslow, Builders Association who spoke briefly. A portion of his remarks follow:

Winslow. First, I shall say that we in the association do not negotiate with the four unions mentioned. We do feel strongly since some of our association have been charge with discriminatory practices. There are colored in our program, some are supervisory. We feel additional rules and regulations has nothing to do with overall integration. All this trouble that has fallen us, some of our people have had to stop work projects because of lawsuits and charges of discrimination; some of us are losing money. Don't saddle us with more regulations. The association members have had enough * * *. The contractors have had enough. They do not care who does the work as long as it is done.

Friedman. It boils down to four unions mainly, then. Let us see if they are not cooperating and set up rules for them and hope that these rules apply to all.

Scheffler. Will these trades do something about this, about getting their affairs and procedures changed by June?

Murray. If they haven't indentured any apprentices they aren't discriminating. When they were notified to change, they simply stopped taking in any new apprentices. Do you want them to toss out the ones that are in now?

Friedman. If this is actually taking place, they can show by a letter that they are trying to change, that is if they are, and get it approved, we might wait until * * *

Marciniak. I wish to point up that the apprenticeship program is a joint matter made up of joint labor-management working together.

Murray. I got information that apprenticeship training at Washbourne Trade School has dropped off. They have dropped one instructor. Other trades have decided to let some go. They are not going to take on any new apprentices.

Green. Has Mr. Duncan (of Washbourne Trade School) been asked to tell what is going on there? What is happening there? Is the dropout large?

Murray. Yes, it is.

Mr. Neal Duncan assistant superintendent for vocational education presented the following data. By way of introduction he said:

Duncan. There are at present 1,933 apprentices at Washbourne Trade School. This represents a dropping off of a considerable number. In September 1963, there were 2,143. The largest year was in 1956 when we had 3,549 apprentices.

Friedman. Does this falling off, is this the ordinary dropout?

Duncan. No, this apprentice has a different set of criteria.

Marciniak. Could you break down these figures as to trades?

Duncan then read the following breakdown:

Bakers, union apprentices, 29; 11 Negro, 1 Japanese, 1 Mexican.
Carpenters, union apprentices, 162; 3 Negro, 2 Puerto Rican.
Chefs, union apprentices, 70; 4 Negroes, 8 Indians, 1 Chinese, 1 American Indian.
Electricians, union apprentices, 529; 12 Negro.
Linotype operators, 15: 2 Negro.
Machinists, union apprentices, 150; 3 Negro, 2 Mexican.
Meatcutters, union apprentices, 43; 8 Negro, 2 Mexican.
Metal lathe operators, union apprentices, 40; nine.
Painters and decorators, 153; 15 Negro, 6 Mexican, 3 Puerto Rican.
Pattern and foundry workers, 159; 2 Negro, 2 Mexican.
Pipefitters, union apprentices, 182; none.
Plumbers, union apprentices, 80; 3 Negro, 1 Mexican.
Printers, union apprentices, 129; 4 Negro.
Sheet metal workers, union apprentices, 258; 3 Negro.
Sprinkling fitters, union apprentices, 43; 2 Negro.
Architectural iron workers, union apprentices, 41; 1 Negro.
Cement masons, union apprentices, 75; 12 Negro.
Structural iron workers, union apprentices, 39; none.

The tool and diemakers union, the bricklayers, the plasterers, and glaziers, had no apprentices in their program.

Note. For a moment there was silence, after this enumeration.

Scheffler. I move that we adjourn this meeting and call in representatives of Government agencies concerned about this, labor unions and employers, the human relations commission people and others to discuss this further at a later date.

Mr. Black. I would just like to include in my remarks that Al Raby and I are both schoolteachers and it takes a lot of courage in the city of Chicago or a lot of complete foolhardiness I might say to take the bull by the horn to present yourself to the public knowing that the administration and others concerned will know this.

But because of our complete feeling, because we are so completely devoted to the equality of education in our city and across this land, we put not only our jobs but our lives perhaps on the line. We have no guarantees that neither or either will not have to be the price for this, but we are willing to pay this price because justice must be done in education.

Thank you.

Chairman Powell. I want to thank you, Mr. Black, for that statement. On the basis of your statement today and others I am instructing counsel for the committee to consult with the Commissioner of Education and the Department of Justice to ascertain whether there is de jure segregation in the school system of Chicago as indicated not only by you but by one or two other witnesses.

Mr. Pucinski?

Mr. Pucinski. Mr. Black, your recollection of the hearings of our subcommittee regarding Washburne Trade School is certainly correct. This situation was called to our attention a few years ago. I don't recall exactly what year it was, and you are correct that at that time I was just as concerned as anyone else with the problem at Washburne.

I am under the impression that the Washburne Trade School now has an order that it will not deal with any unions that continue to practice segregation. Am I in error on that?

Mr. Black. At the July 11 board of education meeting a regulation to that effect was passed. It was on strict recommendation and prejudice——

Mr. Pucinski. Strong recommendations of what?

Mr. Black. Strong recommendations by the mayor's commission on race relations and this material is embodied in the material I will pass on to your committee.

This was passed after persistent recommendation by the commission. In fact, when you read the transcript of the January 23 meeting, you will see the amount of contempt which some of the members of the board, particularly Mr. Murray, had for this idea, and they adjourned the meeting without giving any attention to the real problem, saying, "It is not our business."

Mr. Pucinski. Had you stated the Negro population or nonwhite population as of this time?

Mr. Black. There are 97 nonwhite.

Mr. Puliski. In that school?

Mr. Black. In that school and in two other apprenticeship training programs out of approximately 3,600 young people. About 60 of those are Negro. The others are oriental or whatever designation nonwhites get.

Mr. Pucinski. I can certainly agree with you that the progress has not been as rapid as this committee wanted at the time we held hearing on Washburne Trade School.

But I am very much impressed with the statement that, after prodding by the mayor's committee, the board has now adopted a formal policy that it will not certify any union that practices discrimination. Is this order to your satisfaction?

Mr. BLACK. No, sir.

Mr. PUCINSKI. What would you recommend?

Mr. BLACK. I would recommend that this committee in some way take a supervisory role in seeing to the implementation not only at the level where the training takes place but prior to the time the training takes place.

You see, I have worked in schools outside of the ghetto, and I know what kind of counseling white children got at Farragut High School and much of the counseling is directed toward putting them into Washburne Trade School.

You see, fewer Negro children are going on to college than whites. They have to get skills somewhere. If they are deprived at that level from acquiring the necessary skills that will prepare them to make a living, then they are going to be dependents in our society.

We might say they don't want anything. We might say that. But that is not the real answer because somebody is going to have to take care of them. I want them to take care of themselves. But I don't want them deprived of the opportunity at the level where children come into high schools. There should be at that level assurances that the counseling service will let them know that there is available training. You see, the building trades is one of the biggest trades in this country and it is a well paying trade and no one need be ashamed of being a bricklayer or carpenter or electrician when you make about $200 a week.

I am interested in the committee taking a supervisory and a very close supervisory role in this affair. I don't believe as constituted our present board of education, our present administration is capable or desirous of doing what is necessary to bring about the change.

Chairman POWELL. Would the gentlemen from Illinois yield?

Mr. PUCINSKI. Yes, sir.

Chairman POWELL. I want to clear this up for you and the general public. I had the same problem in Harlem on Saturday. This committee has no power to supervise any local school problems except insofar as it can write legislation that will authorize Federal funds and write legislation which we hope to write that will outlaw de facto segregation.

As regards the local school policy, as much as you might desire, we cannot act as supervisors. Whenever any citizens feel there is a violation of the Civil Rights Act, de jure, or such legislation as might be brought before this committee concerning de facto segregation, then we can throw it out to the proper administrative arm of the U.S. Government for appropriate action.

Mr. PUCINSKI. I am very happy the chairman clarified that point in the record on that because I cannot think of anything that would destroy the Federal program of assistance to local communities than to infer that the Federal Government is going to take over the management and the supervision of these programs at the local level.

The chairman is actually correct. This Congress can, of course, pass laws to withhold funds to those schools or school districts that violate the spirit of the Federal act, which of course provides that no funds shall go into any school system that has de juris segregation. The question of de facto segregation has not yet been decided.

Coming back to the Washburne Trade School, your suggestion of counseling, I think, is a good one. When we held hearings on Washburne Trade School, one of the problems that came up was the method of selection of students. You might be encouraged to know that prior to the adoption of the new regulations, there is a serious doubt in my mind if my son could have attended Washburne Trade School under the method of selecting students.

So this was not necessarily a racial problem but rather a formula for selecting students to go into these trade programs that was funneled through the various unions. Our committee was very critical of this formula.

You may recall if you read the records, and since you quoted me I presume you did read the record, we went into this question of handing down these enrollments from father to son, as you recall.

This was a practice that had been practiced for many, many years out there. Now, I would like to ask you, Mr. Black, one thing, whether or not you feel that the action taken by the school board at the request of the mayor's commission barring any unions from Washburne Trade School that practiced discrimination will help at least remove the discrimination because of race in that school?

I have not looked recently at the other procedures of enrolling students there. But do you think that position of the school board will serve a purpose in this direction?

Mr. Black. I hope it will and, of course, only time will tell us whether it will or not.

Backing up to the chairman correcting me, I should know better because I teach the subject. It was a poor choice of words. I meant supervision of funds which go into the schools such as Washburne rather than actual supervision.

Mr. Pucinski. Thank you very much, Mr. Black.

Chairman Powell. Mr. Pucinski, Mrs. Bosky remained over at request and, inasmuch as I had no questions to ask her, I asked her to remain until you came in, in case you wanted to ask her some questions.

Mr. Pucinski. The hour is late. We have one or two more witnesses and I think Mrs. Bosky made a strong and persuasive statement to the committee. I already told her I thought she was a very brave lady for coming down here to make this statement. Certainly it is one that reflects one viewpoint of the people whom she represents in Chicago, and I have no further questions.

Chairman Powell. Thank you.

Without objection, the material you are submitting will be placed in the appendix of the record and not in the record itself.

I would like to announce that any citizens' groups desiring to file statements may do so by by filing them through the chairman. Without objection they will be placed in the record.

The next witness is Mr. Albert A. Raby.

STATEMENT OF ALBERT A. RABY, CHICAGO, ILL.; ACCOMPANIED BY DR. FAITH RICH, CHAIRMAN OF CORE RESEARCH COMMITTEE; AND MEYER WEINBERG, HISTORY TEACHER, WRIGHT JUNIOR COLLEGE, AND EDITOR OF INTEGRATED EDUCATION MAGAZINE

Mr. Raby. I want to start off by introducing the people I have brought to the table with me. To my right is Dr. Faith Rich, former chairman of the Education Committee of Chicago NAACP, CORE, and Greater Lawndale Conservation Commission. She is presently chairman of CORE Research Committee. She has a Ph. D. in classics from Bryn Mawr College.

Mr. Weinberg, who was here earlier this morning and about whom you have information, which I will repeat for the record, has been a history teacher at Wright Junior College for 20 years, editor of Integrated Education, a bimonthly magazine, and a participant in the recent White House Conference on Education.

Mr. Congressman, let me first begin by thanking you very much for this opportunity to speak before this committee and to indicate to you that I believe that the hearings that I have heard so far have been everything that I hoped they would be and that the best interests of this country will be served by this committee.

I would like to point out that I come here representing an organization which has 28 member organizations, both Negro and white. In fact, there may even be a majority of white organizations. Fundamentally, we are representing all of the children of the city of Chicago and not just Negro children.

If our emphasis is on Negro children it is because they are the most deprived and the students with the greatest needs.

I want to read part of a statement, much of which has been deleted because of time, but will be submitted for the record.

I am going to ask Mr. Weinberg to indicate some of the places on the map. All of you have copies of that map. We will only be indicating so that you can find the places on your individual maps yourselves. It is not large enough for you to see from here.

According to Webster's New International Dictionary, second edition, the word "gerrymander" means—

> to divide into * * * districts * * * in an unnatural and unfair way with a view to give an advantage or for some other improper purpose. Hence, to manipulate— in order to gain an unfair advantage.

A school gerrymander means the arrangement of school attendance boundaries to include children of one type who receive a special advantage and exclude others who thereby are deprived of that advantage.

Mr. Anthony Celebrezze, Secretary of the U.S. Department of Health, Education, and Welfare, has testified:

> Basically, racial imbalance in any community comes because of school district lines.

There is more than a suggestion in this statement by a former mayor of Cleveland that the hand that draws attendance boundary lines may largely determine the amount of school segregation.

When asked by a Congressman whether Federal funds could be cut off from a school board that created racial imbalance, Secretary Celebrezze replied:

> If we come to the conclusion after due investigation, after due hearings, that they are using district boundaries as a device to promote segregation, and we have the law or the authority, which we probably don't have now, then we would have a right to cut off funds. (The Secretary was testifying on the bill that became the Civil Rights Act of 1964. Title VI gives the Secretary such authority.)

In November 1963, the Illinois State Superintendent of Public Instruction, Ray Page, wrote:

> There is no law in this State which requires that a school (attendance system), developed on the neighborhood school plan, honestly and conscientiously constructed with no intention or purpose to segregate the races, must be destroyed or abandoned because the resulting effect is to have a racial imbalance in certain schools where the district is populated almost entirely by Negroes or whites.

Implicitly, Mr. Page seems to say that racial gerrymandering would not qualify as an "honest and conscientious" system. Inferred under Illinois State law, in case of demonstrated gerrymandering, the State superintendent would have to refuse State aid to the school board involved. In fact, however, he has not.

The end result of large-scale gerrymandering is to make the ghetto school a trap for Negro children. Stigmatized socially, and deliberately deprived by the school board, Negro schools increasingly fail to serve the needs of children. Classes are permitted to grow larger; the teaching staff becomes less stable; learning achievement becomes less evident.

Any effort to permit children to escape such a trap is met by the cry of "neighborhood school." What may have been perfectly innocuous boundary lines years ago, now become bars to prevent escape. The failure to redistrict ghetto schools is deliberately to restrict educational opportunity. It is in the sense used here, gerrymandering.

In section 1, above, the contention was made that the entire school system is, in a sense, gerrymandered. Let us now examine one specific current case of gerrymandering. This examination is followed by a listing of 20 additional cases. We present these as worthy of further study. Because of the press of time we have not been able to describe them in detail.

The Riverdale gerrymander: The Riverdale elementary school, 13233 South Prairie Street, was built in 1937 in a very sparsely populated area of the city. Attended exclusively by white children from the immediate neighborhood, its graduates went to Fenger High School, some miles to the north, no nearer high school being available.

Riverdale, rarely enrolling more than 100 or so students, was classified as a branch of white Pullman Elementary School, a "feeder" to white Fenger High School.

During World War II, Altgeld Gardens, an extensive all-Negro public housing project, was built adjacent to the Riverdale district. Between 1945 and 1960, four schools were built within the confines of the project; all project children attended these schools.

They are Carver Primary School, 909 East 132d Street, built in 1945; Carver High School (and later also Upper Grade Center), 801 East 133d Street, built in 1949; Newton Elementary School, 901

East 133d Street, built in 1955; and Aldridge Elementary School, 630 East 131st Street, built in 1960.

After 1945 and 1949, the board of education initiated two attendance districting principles in the general region which are still in force today.

(1) No part of the Altgeld project is included in the attendance area of Riverdale school, and (2) although Riverdale school is located five blocks from Carver High School, its graduates attend Fenger High School, 3 miles away.

The mechanism whereby such an extraordinary procedure occurs is that Riverdale is a branch of 98.4 percent white Scanlan, 2 miles away, a feeder into Fenger. Thus, Riverdale school has been a clear case of gerrymandering since this time. The motive—racial segregation—is plain. In the 1964 school board racial count, the schools under discussion showed the following percentages of Negro pupils:

Riverdale	0.0
Fenger	4.8
Carver UGC	99.0
Carver Primary	100.0
Aldridge	100.0
Newton	100.0
Carver High	100.0

Mr. Pucinski. Are you suggesting that the students——

Mr. Raby. When I finish I will make my conclusions.

Mr. Pucinski. At this point you are talking about the Riverdale project. Are you suggesting that the children in Altgeld should be permitted to go to Riverdale? Is this the point you are making?

Mr. Raby. That will be clear when I am finished.

Mr. Pucinski. Does your map over there show what route——

Mr. Raby. Sir, I would like to finish this if I may and then I will be happy to answer your questions.

When Carver High was built, in 1949, a few white families lived interspersed outside the Altgeld project. The school board took two actions to segregate racially the children of these families. First, a "neutral" area was created, to cover the whole area, excluding Altgeld Gardens. Persons living in the neutral area could send the children to Riverdale or Carver Primary. Needless to say, no Negroes ended up in Riverdale and no whites ended up in Carver.

The neutral area was neutral in every respect but race. Second, on September 6, 1949, the school board created a neutral area for Fenger High School. All persons living in the general area, again excluding Altgeld Gardens, could use Carver High or Fenger.

Apparently without exception, Negroes in the neutral area "chose" Carver and whites, Fenger. Thus, Carver High School attendance district was in effect completely encircled by Fenger's district.

In 1955 an official publication of the school board misrepresented the gerrymander on a map. (1) In August of that year, General Superintendent Willis distributed a map showing Riverdale school as a feeder to Carver High School. The map gave no indication that Riverdale was a feeder of Fenger.

When were the neutral areas abolished? It is difficult to say although evidence points to 1958. By that year a number of housing trailers had been removed from the area slightly north of Altgeld Gardens. These had been the principal source of Negro families in the neutral areas. As a result of the removal segregation could be effected without neutral areas; Fenger was redistricted accordingly.

On July 8, 1964, Superintendent Willis presented a proposal to the school board regarding the attendance boundaries. The changes contemplated: (*a*) requiring Riverdale seventh and eighth grade students to attend Carver Upper Grade Center; (*b*) placement of the Riverdale-Altgeld Gardens area within Carver High School district, thus making Riverdale a feeder to Carver instead of Fenger; and (*c*) placing within the Riverdale attendance district the new Negro-populated Golden Gates development, adjacent to Riverdale and Altgeld Gardens.

The changes never occurred. On July 8, 1964, the day the proposal was made, two board members moved to defer the matter until the following meeting. On August 12, 1964, the matter was again deferred. On August 26, a third deferral was obtained. On September 9, 1964, the item was withdrawn at the request of the general superintendent.

On October 14, 1964, Superintendent Willis made a new proposal which was referred immediately to a committee of the board. It was adopted by the board on October 27, 1964. The new proposal once again designated Riverdale as a branch of Scanlan, and so Riverdale graduates are still eligible to enter Fenger but not Carver High. In addition, part of the Golden Gate development was districted into Riverdale. Residents report, however, that not a single Negro child was enrolled in Riverdale during 1964–65.

Riverdale is a stark symbol of deliberate segregation and educational deprivation. During the years of the most severe overcrowding in the Altgeld schools, with double shifts in the project schools, Riverdale suffered no overcrowding. It never had double shifts. In 1964, class size, according to Superintendent Willis, was as follows in the area's schools.

	Percent
Aldridge	33.1
Carver Primary	32.8
Carver Upper Grade Center	32.7
Newton	32.7
Riverdale	16.8

One should recall our earlier definition of a gerrymander: "To manipulate * * * in order to gain an unfair advantage." Such manipulation is obvious in this case. It cannot be charged to geographical or housing factors. The board used its public authority to effect racial discrimination.

Mr. Pucinski. Would you be able to give me any idea whether there is any merit to a belief that if the youngsters from Altgeld Gardens were permitted to go to Riverdale right now they would have to walk out 130th Street, which is a State highway, or which is, I understand, a dirt road with tall weeds, no sidewalks?

I understand the swamp is now being built up, and that the children will go to Riverdale once there is access to that school from the Altgeld Gardens. Is it indeed difficult for youngsters to get from Altgeld Gardens to Riverdale under the present conditions?

Mr. Raby. Just let me make this comment, sir. We are not charging that a school is segregated in Chicago, but that the Chicago public school system is segregated. I have given you an example of a particular school, and there is a large degree of testimony which is being submitted for the record that you will have time to examine.

I would defer on the question you ask, but I would like to emphasize, that my burden is not to prove that a school is or is not segregated. This we can prove, but our charge is that whole system is segregated.

Mr. Pucinski. It is not my intention to argue with you, but would you be good enough to answer whether or not the youngsters from the Altgeld Gardens in order to get to Riverdale have to either walk down the State Highway 130 or 134 which is at present swampland with a dirt road and tall weeds and no sidewalks? Is there any truth to that statement?

Mr. Weinberg. Two weeks ago I personally visited this site, walked over it and drove over it with my car, discussed many of the problems in this area with community leaders, so I believe I have the basis for making a statement.

Mr. Pucinski. Did you walk in 130 to get from Altgeld to Riverdale?

Mr. Weinberg. For a short space, yes.

Mr. Pucinski. Did you also walk on 134th?

Mr. Weinberg. Yes; and 132d and 133d.

Mr. Pucinski. If it was a matter of your children, and we are speaking now of grade school children, not high school children or adults, with your own youngsters, would you have your youngsters take either of the routes you described?

Mr. Weinberg. I have to take exception to a statement you made. The children who graduate from Riverdale Elementary School leave the eighth grade——

Mr. Pucinski. We are now talking about the Riverdale Elementary School, and we are talking about children who walk from the Altgeld Gardens to the Riverdale.

Of course I know ultimately they will graduate from Riverdale and go on to high school. I would like you to tell me whether you as a father would have your children, either kindergarten, first or second graders, take either one of the two routes that you described from the Altgeld Gardens to the Riverdale school.

Mr. Weinberg. I have two answers. One, yes; and two, the board of education has had 16 years to build a sidewalk.

Mr. Pucinski. Is it the responsibility of the board of education to be building sidewalks for access to schools? Is that a function of the board?

Mr. Raby. I think it is a responsibility of the board of education to utilize school space.

Mr. Pucinski. I am under the impression that the members of the board testified, Mr. Willis testified, and the Hauser report stated in unequivocal terms that they are having a pretty tough time now paying for teachers, buying books, and various other things.

Are you suggesting now that in order to eliminate what you call gerrymandered districts and what the board calls laid out districts, laid out for access to schools, are you suggesting now that the school board should then engage in building sidewalks and roads for youngsters to get to and from these schools?

Mr. Raby. I am suggesting that the school board should end what the Civil Rights Commission, the Hauser report, and we have charged de facto, if not de jure segregation in the Chicago school system. When they have moved in good faith on that problem, I will be glad to sit down and help them solve the other problems of technicality.

The fact is Negroes are segregated in the Chicago public school system, and whatever the causes for 90 percent of segregation in Chicago public school system, it is not the absence of a sidewalk.

Mr. **Pucinski.** We agree the exhibit you submit here on Riverdale school is one of the exhibits you are giving of deliberate gerrymandering of school districts. Is that correct?

Mr. **Raby.** That is correct.

Mr. **Pucinski.** Would you like to proceed?

Mr. **Raby.** Yes, sir; if I have your permission.

Mr. **Pucinski.** Yes, sir.

Mr. **Raby.** I am submitting for the record a statement by a teacher who will go unnamed but whose name I would be prepared to submit if that is either the requirement here or if at some later date that name is needed for some further investigation.

I will reiterate what Mr. Black has said. The intimidation of Chicago public school system is rampant, and that unless it is the requirement of this committee, I would prefer not to submit her name at this point, unless there is need for some further investigation.

I could wait for the chairman to come back and rule on it.

Mr. **Pucinski.** I have no objection, but I think the record would show this is an anonymous statement, and whatever credibility or lack of credibility would have to stand on there being no author named.

Mr. **Raby.** I am not sure of the nature of this hearing. I think this is an exploratory kind of investigation, and if there is a further investigation, I would be glad to submit the name.

I will wait for the chairman to come back, and go on to other points.

Mr. **Pucinski.** Why don't you go on with the rest of your statement?

Mr. **Raby.** I want to reply in part to some of the things stated yesterday by Mr. Willis.

Mr. **Pucinski.** Would you permit the interruption?

Mr. **Kramer.** Something that has confused me on your testimony in the Carver situation—as I understand it, the basic thrust of the movement at this time is to replace Dr. Willis, but insofar as your testimony is concerned, it is Dr. Willis who was in favor of amalgamating the districts, and the board was not.

Can you clarify the situation of responsibility there, so far as you see it?

Mr. **Raby.** It is true that the board of education has the ultimate responsibility for every action of the superintendent. In fact, the superintendent has by some means gained the authority and the power to manipulate the board, more often than not the superintendent's recommendations have in fact been the actions of the board of education.

Just to give an example on the question of the hiring of a superintendent in charge of integration last January that the board voted to fill. The superintendent recommended that there was no need for such a recommendation, and they didn't fill it, and they still have not filled it today; they merely re-voted to fill it.

Dr. Rich indicated she wanted to make a comment on your question.

Mr. Pucinski. I am sure that the record is not going to in any way substantiate any suggestion, and I am sure that even the chairman of this committee would be most happy to concur, although I don't want to speak for the chairman.

The purpose of this hearing is certainly not to replace Dr. Willis. The purpose of this hearing is to ascertain if there is de facto segregation, to what extent, and if there is any area in which the Federal Government can make a contribution either in guidelines or otherwise such as to deal with this problem.

Mr. Raby. I have a twofold role. One is to replace Willis, which is not my role here today. My role here today is to prove that his administration and the administration of the Chicago public school system has been and continues to be segregated.

I will be back on the streets tomorrow to try to make sure that he is not there tomorrow.

Mr. Pucinski. I will have to tell you the same thing I told Dr. Hauser. Certainly you have been invited to appear before this committee, and we would like to listen with great interest to the statement that you have to make, but I must tell you the same thing I told Dr. Hauser, that I would be much more impressed with the validity of your statements and claims if they were not interspersed with your personal animosity toward the superintendent of schools of Chicago.

Mr. Raby. I am trusting to your judicious experience and the judicious experience of this committee to weed out the emotions and make the decision. If I were in a position to make the decision, I would probably have to be more judicious.

Being a teacher, a Negro, and a victim of the Chicago public school system I have more to be emotional about than Dr. Hauser.

Mr. Pucinski. I think we can all make a much greater contribution toward understanding this problem if we leave personalities out of this and stick to the facts. I think we can all understand this problem better if we conduct ourselves along that line. I would strongly recommend that we proceed in that direction.

Mr. Raby. I appreciate the recommendation, sir, and I assure you that I will keep it in mind, and whatever I do, I will have it in mind, and it will not be necessary to remind me again. What I do is intentional.

Dr. Rich was trying to reply to the question asked by the attorney.

Mr. Pucinski. Can we agree on some procedure, here? Your statement is going to go into the record in its entirety, as will the statements of all of the other witnesses who have appeared before this committee. If you would like to summarize your statement——

Mr. Raby. I have some information which is not in the statement that is a reply to Dr. Willis' comments yesterday.

Mr. Pucinski. That will go in the record, too.

Mr. Raby. I do not have copies to put in the record, and I would like to put it in the record here and submit copies later.

If that is impossible, and if that is your ruling, and if you are now acting as chairman, I must submit to that ruling, but if it is not——

Mr. Pucinski. The chairman will be right back.

Mr. Raby. I am not certain of your position. I am only stating what appear to be the possibilities.

Mr. Pucinski. Can we agree on a time?

Mr. Raby. If you can agree not to interrupt me——

Mr. Pucinski. I will be happy not to interrupt you, if we can agree on some time.

Mr. Raby. I think 15 minutes will be enough for me to make my statement.

Mr. Pucinski. Why don't you proceed with your statement?

Mr. Raby. I will proceed with that, but I would like to leave part of that time for Dr. Rich to answer your question.

Dr. Rich. Perhaps I could speak with counsel afterwards and satisfy his curiosity, but may I say that the board members who asked for this deferment, and Dr. Willis, who withdrew his request, were probably acting in response to a white group that objected to the whole arrangement.

This has happened in other instances, and we were told by some of the Negro residents that this was the case here.

Mr. Raby. The superintendent spoke yesterday of the "spectacular success" of the Chicago summer schools. The Havighurst report, prepared by an official three-man committee of which the superintendent was a member, reported last November that insufficient evidence existed upon which to evaluate the success of the summer schools.

The superintendent spoke extensively yesterday of in-migration from the South. In fact, however, such migration has slowed down sharply, and thus it cannot be blamed for recent failures to educate children.

Indeed, a recent study by a dean of one of the municipal junior colleges in Chicago showed that Chicago high school graduates among his entering freshmen were as deficient in reading as were Mississippi high school graduates among the freshmen in his school.

Also, many in-migrant children receive all their education in Chicago, even though they were born out of State.

Finally, there is no research evidence to support the contention that in-migrant or lower class children in general are unable to profit from adequate instruction.

The superintendent yesterday may have left the impression that class size is fairly uniform throughout the city, approximately the citywide average of 32.5 students per classroom. The latest official school board report, November 12, 1964, reveals the following class sizes. These are selected from among the largest and the smallest class sizes in the school system.

	Students per classroom	Percent Negro
Wildwood	18.9	0
Decatur	25.5	0
Burbank	15.2	0
Greene	17.0	4.0
Riverdale	16.8	0
Marconi	47.3	63.2
Penn	37.4	100.0
Carnegie	41.6	99.4
Oglesby	46.3	96.8
Bass	41.1	99.6

Special service teachers and their use:

Yesterday, the superintendent stated that Harlan High School had been designed to be an integrated school. The opposite is much more likely. Harlan was built directly in the path of Negro expansion and midway between two probably integrated high schools, Fenger and Calumet.

Within a period of 6 years Harlan changed from an integrated to a 90-percent Negro segregated school. Meanwhile, Fenger was resegregated white—1964: 4.8 percent Negro—and Calumet likewise.

More recently, Calumet has become integrated, but these Negro students have not come from the Harlan area. Before Harlan was ever built, the NAACP protested its location, predicting the eventual segregation. The school board ignored these protests.

Yesterday, the superintendent stated how important it was for integration to keep up standards in fringe area schools. He did not, however, provide evidence of what the school board's present practices are in fringe areas.

Examination of such practices reveals that the board is hastening the process of segregation in the fringe areas. The example of Oglesby School illustrates this. The school is located at 7646 South Green Street, 832 West, and contains kindergarten through eighth grade.

By refusal to redistrict or to transfer on an equitable basis this school was made into a trap on the edge of the Negro ghetto. The next school west and south of it is Cook, 8150 South Bishop Street, 1550 West.

In 1962, Cook, as a receiving school in the permissive transfer program, could not receive more students than would leave it at 30 per classroom. Oglesby, as a crowded sending school, could not send students until it rose above 40 per classroom.

By 1963, Cook, 3.1 percent Negro, had 25.7 pupils per classroom; Oglesby, 89.3 percent Negro, 44.1 pupils per classroom.

In 1964, Cook was 9.7 percent Negro, 29 per classroom; Oglesby, 96.8 percent Negro, 46.3 per classroom, including 10 mobile units.

This committee could well consider enactment of the following legislation:

1. An amendment to the Civil Rights Act explicitly authorizing Federal assistance to school districts, urban as well as rural, that are suffering from problems of school segregation, and undertake effective measures to remedy such segregation.
2. An amendment to the urban renewal law permitting Federal urban renewal funds to be used to pay for new schools in renewal areas that are located so as to increase rather than decrease integration by drawing upon students living outside the area of renewal.
3. Require that school boards consult with community groups to the maximum feasible extent on problems of integration as a prerequisite to eligibility for Federal aid.
4. Require that no Federal aid be granted to a school board that is withholding vacant classrooms from use by any students, whatever their ethnic composition.
5. Require that Federal funds for remedial education be expanded in a classroom setting of integration, rather than of segregation into tracks, ability grouping, and the like.
6. We oppose any special pay to teachers who consent to teach in deprived areas of a city. The wisest way to attract such teachers is to offer them the best teaching conditions, such as small classes, auxil-

iary assistance, social welfare assistance to students, and positive administrative encouragement and guidance.

We do not believe that it does one bit of good either for the school, for the teacher, or for the child to have "battle pay" for teachers to go into difficult schools, and that is what we think it amounts to, battle pay.

We are more concerned with helping children than we are with soothing the consciences of teachers or making it more bearable for them to try to do what in fact is an impossible job to begin with by just giving them more pay.

I don't know how a dedicated teacher who is working 5 hours a day or 6 hours a day, sometimes 10, can work any more with $50 more a month or a week, or whatever the case might be.

But let me say this: I think that all teachers in the city of Chicago and throughout this country are underpaid. Every teacher in the system who is doing a good job has a difficult job. The challenges are different, the classroom situation is different, but a teacher with a deprived child has as challenging a job as a teacher who is teaching in the most privileged school, for that teacher has to do the kind of preparation it takes long, long hours of study in order to stay ahead of the students.

But what every teacher in the city of Chicago and elsewhere wants is an opportunity to teach, and $25 or $50 a week more will not present that opportunity. It may present only the opportunity to get some pills to forget what has been going on during that day to soothe the frustrations of that day, but it will not solve the problem of the children or of the teacher.

That ends my testimony, sir. I will withhold the statement from the teacher until such time as it is needed, and at that time, if there is a further investigation, we will have a signature attached to it.

Mr. PUCINSKI. I regret that you have characterized the suggestion that I made to give school districts some additional financial assistance for an incentive plan to get quality teachers into these poverty stricken areas as you have.

I think that the testimony of the previous witnesses—and perhaps it might be wise for you to review that testimony, particularly the testimony of Dr. Hauser—clearly indicated that one of the problems, and there are many problems in attracting qualified teachers into these areas, particularly the teachers with the degrees, is they tend to gravitate to the higher income and higher salaried areas outside the city.

I am inclined to think that either you have not studied this matter through as carefully as you might want to, or perhaps you don't understand the depth of the problem.

Of course, this is my opinion, and I don't want in any way to minimize your own opinion, but even Dr. Hauser testified here, and you had quoted Dr. Hauser on previous occasions. Dr. Hauser testified yesterday that some form of incentive plan to help get teachers into these areas would be desirable.

You will recall Dr. Hauser did not say that the bonus plan necessarily was the vehicle, but he thought that perhaps making funds available for a 12-month term and various other incentives would help bring teachers to that area.

I am sorry——

Mr. **Raby.** My remarks were not intended to be disparaging toward you or the committee. I preceded it by saying that it was intended to be constructive. I think the committee is honestly seeking to find some solutions to some very difficult problems.

I would like to bring to your attention that I have been a teacher for 5 years, and was a member of the group that organized teachers for integrated schools and integrated education, and have been dealing with this bonus proposal since it was first suggested in 1963 by the New York Board of Education, so I am not unacquainted with the argument.

Thirdly, I don't agree with God himself all the time, so that the fact that Dr. Hauser and I disagree on some one item is no indictment of either my lack of understanding of the problem or a lack of research background into the problem.

I believe that there is only one incentive for teachers in the Chicago public school system.

As a teacher having taught in one of the most difficult communities in the city of Chicago, which has the highest crime rate in the United States, and the greatest proliferation of teenage problems in this country, I state categorically I believe there is only one incentive for a teacher in a school of that situation, and that is that he have an opportunity to teach.

My experience in the 5 years at that school does not indicate that any additional amount of money would increase my ability to teach in a classroom. It would not give me 5 minutes more to sit down with a child and teach him reading. It would not give me one iota more time at night to sit down and mark papers, or anything else.

I make this suggestion to you again; if something could be done to relieve the burden of the teacher within the classroom, and to reduce the amount of work, and give that teacher the opportunity to have a satisfying teaching experience, the gratification of teaching and relating it to children, I think that would be sufficient.

I remind you again my statement was that all teachers in the city of Chicago deserve higher pay. I think teachers generally are underpaid. I think policemen are, firemen are, as well as a number of other people.

I see you are about to speak, so let me ask you this one question: Was the agreement of 15 minutes binding on both of us, or just me?

Mr. **Pucinski.** I thought we would agree on your opening statement.

Mr. **Raby.** I wanted to make sure I was not caught in a bind. I could filibuster for another minute, and we would have used up the 15 minutes.

Go ahead.

Mr. **Pucinski.** Would you want to give us your appraisal of the so-called Hauser report—the Advisory Panel on Integration of the Public Schools? Do you generally agree with this report?

Mr. **Raby.** At the time the Hauser report came out, and I have not changed that position, the coordinating council agreed with 90 percent of the report. We never delineated the 10 percent we don't agree with.

Mr. **Pucinski.** I take it that that 10 percent is what Dr. Galbraith called your "kicker."

Mr. **Raby.** I believe that is the way one might put it.

Mr. PUCINSKI. Would you care to comment on page 42 of that report, on a statement which I shall read, and perhaps I can get an expression from you on that:

> Racial integration cannot be achieved solely through pressure tactics such as group force and compulsion. On the contrary, the application of pressure or force without the lubricant of education, understanding, may serve merely to harden attitudes of resistance or to accelerate the exodus of the white population from the public schools and from the city.
>
> The present controversy over whether a school should or should not be desegragated is not only intensifying the problem; over several years the controversy becomes more heated, the tempers more frayed, the leaders of the civil rights movements and the opposing white citizens have become more extreme in their behavior, and a controversy has resulted, and widespread confusion and suspicion.
>
> It should be clear that if progress is to be made, both the proponents and opponents of school integration must place the welfare of the entire city above their more immediate goals.
>
> It should also be obvious that those persons who expect to mediate conflicts, the board of education, the civil leaders, and city officials, must take major steps to fulfill their proper role in a resolution of the issue. The extremists on either side of the desegragation issue must not be permitted to determine policy.

You say you have participated in the demonstrations in Chicago. What would be your statement on this?

Mr. RABY. If you go sentence by sentence, I could say what I agree with, and what I do not agree with. I am not certain that Mr. Hauser even at this day agrees with that statement.

I remind you that that report was written 2 years ago. You saw his attitude change toward Dr. Willis, as you indicated yesterday, and I suspect his attitude has changed on a number of other things.

Mr. PUCINSKI. Perhaps we should get tobether on one thing, that the statements made by Dr. Hauser before this committee yesterday were statements made by Dr. Hauser. The statements made in this report are made by the entire panel, and therefore I think we can see the difference.

But permit me, then, to ask you what is your attitude toward the last sentence in this paragraph that I read, to quote:

> The extremists on either side of the desegregation issue must not be permitted to determine policy?

Mr. RABY. I would agree with that.

I am just not sure who you call extremists. I certainly would not want the American Nazis deciding it, and I would not want the Deacons in Bogalusa, who are presently in Chicago trying to organize, to decide that. I think somewhere in between the decision has to be made.

Mr. PUCINSKI. Could I get your reaction also to another statement made on page 62 of the so-called Hauser report, or panel report:

> An analysis was made reviewing the attendance area boundaries and considering various alternative procedures for constructing attendance areas. The analysis resulted in the following general conclusions:
>
> 1. Even if the most extreme procedures of redistricting school attendance areas to increase integration were to be used, there would still be all-Negro and all-white schools in the city.

What would be your reaction to that statement?

Mr. RABY. Read it again, please.

Mr. PUCINSKI. Item No. 1:

> Even if the most extreme procedures of redistricting school attendance areas to increase integration were to be used, there would still be all-Negro and all-white schools in the city.

Mr. RABY. That is correct. My complaint is that the most extreme circumstances have been used to maintain the segregated system, and that no progress has been made. I remind this committee of another report that was issued or authorized by the board of education—the Havighurst report—that indicated one-third of the present school population, with very little difficulty, could in fact be integrated—one-third of the present school population in the school system of Chicago.

Mr. PUCINSKI. No. 2 of that conclusion from this analysis:

> Under the present neighborhood school policy, the majority of integrated schools occur in integrated or racially changing neighborhoods. When a rigid boundary divides areas of Negro and white residents, the schools serving these students are usually segregated.

Mr. RABY. What is that?

Mr. PUCINSKI. What would be your comment on that conclusion?

Mr. RABY. Would you say that again?

Mr. PUCINSKI. No. 2, again referring to the survey that was made in attendance areas:

> Under the present neighborhood school policy, the majority of integrated schools occur in integrated or racially changing neighborhoods. When a rigid boundary divides areas of Negro and white residents, the schools serving these students are usually segregated.

Mr. RABY. That is no doubt true—rigid—I believe in flexibility. I believe in flexibility to attain integration, not to maintain segregation.

Mr. PUCINSKI. The third conclusion, and then, Mr. Weinberg, I will probably be asking you about that, because we touched on this earlier when we discussed the Altgeld Gardens and the Riverdale School.

> 3. The principal reason why segregated residential areas are usually served by segregated schools is that major natural boundaries such as main streets or elevated railroads because school attendance area boundaries for reasons of safety as well as being likely residential racial boundaries.

What is your comment on that, Mr. Raby?

Mr. RABY. We think we have provided evidence to prove that there is international segregations. We have submitted that evidence to this congressional hearing and suggested other areas of investigation for this committee.

We would be glad to act as a resource agency for this committee to further prove that in fact this has not been the reason for the boundary lines as they presently exist, and that they have been gerrymandered.

Dr. Rich has a comment to make on that.

Dr. RICH. There are long lists of dangerous crossings running through school districts where the children had to make this crossing to attend a double-shift school. I myself live in a such a school area, Pope School.

The children had to cross a multiple type of intersection, 16th Street and Ogden. Ogden Avenue ran through the districts of three other schools.

On State, which goes through the districts of innumerable schools, many children have been killed because of this.

So this allegation always stands out when it divides the races, not when it divides the children.

Mr. **Pucinski.** You were here yesterday when Dr. Lewis gave us examples of schools which appeared to be, and I have no reason to doubt that it was, a sincere effort by the school board to construct schools that would be integrated.

He recalled the first instance where the school projections had shown that when the school was open, there would be a 15-percent population of white children, and because of the changing neighborhood, by the time that school was open, it was a 3-percent population.

What is your comment on that?

Mr. **Raby.** I would like to comment.

I can't measure the motives of anyone, but I would like to suggest that one of the problems of being a Negro in America is that Negroes have been totally emasculated both North and South by the threat of their jobs, and by other things, just as Governor Wallace in the South would take a Negro and bring him forward to testify as to his happiness in the historic setting of the slaves, purporting to prove slavery was an adaptable and satisfactory way of life for Negroes.

We have that same problem among many Negroes, if not among this particular one. I don't want to suggest that is hers, but that is a problem that is prevalent in many communities, so I am not so ready to accept this as the motive without further examination.

Dr. Rich has something to say on the substance of it.

Dr. **Rich.** I am not just certain which school Dr. Lewis was referring to, but I think that we are all aware of the difference between transition and integration. In the area where she was district superintendent, the transition was going on at such a pace that anyone constructing a school was just flying in the face of what was perfectly obviously by just driving through the area.

I would like to suggest that there was the place for transfer programs, and mobiles, because as these areas become crowded, I suspect that they might even be illegally crowded, and to build a new school for what might be an illegal density seems to me very unfortunate.

Of course, if you wanted to say so, you could say it was built for the containment of the Negroes as a movement.

Mr. **Pucinski.** May I ask you at that point, hasn't the CCCO along with others condemned the mobiles, calling them Willis Monuments and monuments to segregation?

Dr. **Rich.** No, the civil rights people have never condemned the mobiles as such. They are very charming. They are air conditioned. They had carpets in the first ones. They condemn the use of these for containment of the Negro children, and for segregation. They do not condemn them as such.

Mr. **Pucinski.** How would you decide how to build a school, if the population was growing and you needed additional facilities, and if your projections showed, as Dr. Lewis testified yesterday, that the projections would show—and I think perhaps the more spectacular example is the high school where the people of the community went to court and tried to enjoin the board of education?

The board of education won the case, and the school said that school is now 90 percent nonwhite.

Dr. RICH. Those people objected to their children being in a more interracial high school. These were white people who sued the board, but they were not suing them for any good reason, nor was the school being built for any good reason. When that school was planned, it increased segregation in its very planning, because it decreased the number of whites and Negroes interacting.

You must remember that in Fenger, the Negroes there integrated that whole high school. They integrated Calumet, a whole high school. Now, Harlan was planned to draw those Negroes out of those two schools resegregating them white.

Now, the white people who had to go to Harlan, instead of being in a clear majority, were going to a school where they would be 50–50. What they objected to was the degree of integration of Harlan, but it was no good that the board did this.

This simply aided the real estate people's policy, because by forcing those particular white people to be more integrated than they had been in the other two high schools, they fled faster, and I suppose more money was made.

Mr. PUCINSKI. I have one final question, and I think we will wrap this up.

I am aware of the fact that the CCCO has filed a complaint with the U.S. Commissioner of Education alleging de jure segregation in Chicago schools, and asking that funds be withheld.

I would rather imagine if the funds were ever withheld from Chicago, it would hurt the little children who need that help the most desperately, but this is, of course, subject to interpretation. You may have entirely a different view on this than I do.

What I would like to ask you now is this: In view of the fact that you have filed your application or your complaint, and the Commissioner has undertaken a study of this complaint along with several others that are now pending before the Office of Education, what further purpose do you think can be served in the demonstrations?

You said you are going to be having them back in Chicago tomorrow evening. What possible service can you serve, when the matter is now pending before the Office of Education?

And I think you and I can agree that Mr. Keppel or the Federal Government certainly is not going to be swayed one way or the other by these demonstrations.

Wouldn't you think that the time has come now to let the majesty of the law work its will, and if there is any merit to your claim under both title 4–A and title 6 of the Civil Rights Act, the local authorities will be ordered by the Secretary to stop these practices and correct these practices, and wouldn't you think, Mr. Raby, that it would certainly lend dignity to your cause, or more dignity to your cause, if we now let the law work its way?

You had filed a complaint. I would say if the Commissioner had rejected your complaint, or if he had refused to consider it, U.S. citizens have the right to petition the Government in any manner that you see fit, but the fact that they have accepted the complaint, and it is now the subject of an investigation, it would appear to me that perhaps you give living meaning of your confidence in your Government

By continuing to demonstrate, I get the impression that you are really saying that you have no confidence in those institutions which have served all of us as Americans so well, regardless of our race, color, or creed.

Mr. **Raby.** Let me comment on that, if I may.

First, it is my understanding that any time the board of education or Commissioner of Education indicates that they are in violation, and takes away the fund, immediately upon compliance, those funds will be replaced.

That is my understanding.

Mr. **Pucinski.** I think that understanding is correct.

Mr. **Raby.** The only harm that could come to the children of Chicago is if the board of education were determined to maintain segregation in the Chicago public schools, and refuse the funds of the Federal Government.

Mr. **Pucinski.** But you are aware of the fact, Mr. Raby, that under title 6 of the Civil Rights Act, if the Commissioner finds for the complainant, and should order the holding of funds, the defendant, in this case being the school board, has a right to exercise judicial appeal, and judicial review, and there may be, under those circumstances—we have had no cases—I don't know how it would be handled, but I think that the attorneys would agree that there could be a very exhaustive delay in exercising all of the appeals all the way up to the Supreme Court.

I was just so anxious to give those youngsters under this Federal bill—we passed this bill with great hope, and I am proud of the role I played in that bill. If I did nothing else in my career as a Congressman, I could rest on that record, because we decided to give the youngsters who need that help the most, the help they needed.

With all of the litigation that there could be—a great denial, at least—

The point I am interested in more than that, Mr. Raby: What purpose can be served in continuing these demonstrations, when you now have your application where it belongs? And I think you have exercised your proper right in filing that application.

You feel you agree, and the law provides these procedures. The law says if a party feels they are aggrieved, and there is discrimination, we have provided the machinery for you as a citizen to seek your redress.

Now, I ask you, Mr. Raby, what further purpose can be served?

Mr. **Raby.** I find it very difficult to organize my thoughts when I start to answer a question and I am interrupted. I would appreciate it if you would just——

Mr. **Pucinski.** Go ahead and answer.

Mr. **Raby.** I am sorry I did not see you on the picket line before the complaint was filed. The sympathy was there, but not since the complaint was filed.

My statement earlier was that the board does not have to comply. The fact is that, in our opinion, children in Chicago are being denied opportunity for education.

To the extent of my confidence in the Government, it extends to the active participation in that Government to make sure that it is in fact operative. I don't have confidence in a democracy without participation and I don't think anybody should have.

Mr. Pucinski. You speak for yourself, and I will speak for myself.

Mr. Raby. I apologize.

Will the record please show that I apologized in attempting to speak for the Congressman?

I don't have confidence in any government as such. My conception of democracy requires active participation in the formation of government policies.

I would remind you, one of the quotations I may not remember exactly from Thomas Jefferson is that democracy has to be refreshed with the blood of its patriots in order to guarantee that it goes on.

I think your argument that we may end up in litigation in the courts for the next 2 or 3 years on the question of the complaint we submitted to Mr. Keppel is in itself supporting argument for our staying on the streets.

The 1954 Supreme Court ruling desegregating schools in the South is just now culminating. If we are to anticipate negligence by the board of education, or stalling, there is every reason in the world we should be out in the streets, and stay out in the streets. I will demonstrate until I go to jail—whenever that is, and it may not be long off—and I am going to be on the streets, and when I get in jail, I am going to organize the jails, too.

Mr. Pucinski. Mr. Wilkins, the executive director of the NAACP, has stated many times that 90 percent of all the gains made in civil rights in this country in correcting the evils of discrimination have been made through the orderly process of the courts. Do you agree with that statement?

Mr. Raby. Do I agree with that statement? I think that it is a wee bit exaggerated. I think that they have culminated in the courts.

The injustices of slavery did not end in the courts. They ended on the battlefield. The injustices of Hitler did not end in the courtrooms. They ended on the battlefields. The war in Vietnam is on the battlefield.

We have not taken the hydrogen bomb to the courts. We did not take it to the courts for judicial decision before we dropped it on Japan.

The history of the correction of injustices in this country is not one that finally lies in the courts, and I think 350 years of slavery and second-class citizenship are enough cumulative information or evidence that the American Negro, if in fact he is going to be a first-class citizen, has to do more than merely go to the courts.

I might say that is the evidence upon which I am going back into the streets.

Mr. Pucinski. Mr. Raby, I am sure we have had some very interesting testimony the last 2 days before this committee, and it is my hope that this committee will now be able to look into the other cities, to study this problem.

I should like, in closing these hearings, to reiterate what the chairman said in opening these hearings, that the fact that Chicago had been the first city to appear in this series of hearings in no way reflects any consideration or idea or determination by this committee that the problem is limited only to Chicago. This is a national problem.

This is a problem that people are experiencing in every city, village, hamlet in this country, so certainly it is a fit subject for a discussion.

We wish to thank all the witnesses who participated in these hearings, and the meeting will now stand adjourned, subject to recall by the Chair.

(Whereupon, at 7 p.m., the committee adjourned, to reconvene subject to the call of the Chair.)

(The following material was submitted for the record.)

Addenda re Thomas J. Murray Family

Murray has a second son, Timuel (Tim), who is on the board of directors of the Lange Engineering Co., 2929 South Wabash. These are electricians' subcontractors and they have aided Murray Senior's Brotherhood of Electricians, Local 134, with contracts; plus servicing the board of education.

Murray has a third son, baptismal name unknown, who has an appointive job on the legal department of the board of education. This is purely "political"; this Murray is not under civil service.

K. T. Simonds.

"Chicago's Washburne Trade School: A Delegation of Social Discrimination"

(By Mitchell Jay NewDelman)

(Law Students Civil Rights Research Council, University of Chicago, College of Law)

I. INTRODUCTION

The Washburne Trade School was established in 1919 by the Chicago Board of Education as a continuation school for secondary-level students.[1] Almost from its inception it became the Chicago school system's industrial training school for dropouts.[2] By 1937, it had changed its name twice: first to the Washburne Continuation & Apprentice School and then to its present title of Washburne Trade School.[3]

At the present time, the school is located at 3233 West 31st Street in Chicago and its present director[4] is Charles R. Mitchell. The school is under the general superintendency of Benjamin C. Willis.[5] The purpose of the school is readily admitted and in the words of the Chicago Board of Education's own pamphlet on Washburne, "The Washburne Trade School is a Chicago public school supported by Federal, State, and city funds, participating in a work-study type of education for apprentices in the skilled[6] trades. The main purpose is to supplement on-the-job experiences with the skills and knowledge apprentices need to become competennt craftsmen in their chosen fields."[7] The apprentice[8] training at Washburne Trade School has never been in the past been, nor is presently being, offered to the general public, even when potential students are highly qualified and eligible. The procedure for entrance is one established by contract with the various unions, or to be more exact, with the joint apprenticeship committees which are boards of part Union and part employer association membership.[9] These contracts provide for the free use of the facilities at Washburne to the unions and employers for the training of their apprentices, thus eliminating any direct entrance into the school.[10]

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[1] John A. Lapp, "The Washburn Trade School." Chicago, Fred Klein & Co., 1941, p. 23.

[2] For an old, yet still accurate, description of trade schools as opposed to technical high schools, see Paul H. Douglas, "American Apprenticeship and Industrial Education." New York, Columbia University Press, 1921, pp. 187–210.

[3] Lapp, note 1, supra, p. 23.

[4] Note the use of the word "principle" is not used.

[5] Pamphlet entitled "Washburne Trade School," issued by the Chicago Board of Education—unnumbered.

[6] See Harry Kursh, "Apprenticeships in America." New York, W. W. Norton & Co., Inc., 1958, p. 11; wherein a "skilled" worker is defined as one with "distinctive abilities, competence in work, and special training—these are the features which distinguish the one worker in seven or eight who today merits being called skilled." Note, that of the 65 million person workforce in the United States, 9 million are skilled and, of those, 2,500,000 are in the building trades.

[7] Note 5, supra.

[8] Kursh, note 6, supra, at p. 42, defines an "apparentice" (from the U.S. Department of Labor's "Dictionary of Occupational Titles") as a term which "* * * is intended to mean a worker who is not less than 16 years of age, engaged under direct journeymen supervision, and according to a prescribed or traditional series of work processes graded to coincide with increasing trade maturity, in learning a skilled occupation that requires, during the learning process, several years of reasonably continuous employment prior to the time that [sic] the worker may be considered a qualified journeyman. In general, apprenticeship is legally recognized only if recorded in a written contract, indenture, or agreement, in which, in return for services rendered, the employer promises to teach the

Although the school serves many crafts, this paper is concerned only with the so-called building or construction trades consisting of Carpenters, Electricians, Plumbers, Sheet Metal Workers, Pipefitters, Painters and Decorators, Lathers and Plasterers.[11] The first such contracts at Washburne were made with the Carpenters and Electricians in 1919,[12] then the Steamfitters in 1921,[13] Sheet Metal Workers in 1919,[14] Painters in 1925,[15] Plasterers in 1933,[16] and Plumbers in 1934.[17] Governmental support of Washburne has been continuous since the school's founding in 1919, under the Smith-Hughes Act. The 1917 Smith-Hughes Act is Federal legislation providing for reimbursement by the National Government of half of the salaries of the teachers in vocational and continuation schools.[18] The act provides at 20 U.S.C.A. 15ccc "that funds appropriated under section 15aaa of this title shall be used for the training of individuals designed to fit them for useful employment as highly skilled technicians in recognized occupations requiring scientific knowledge as determined by the State board for such States, in the fields necessary for national defense." [19]

After 1937, the school underwent a change of policy whereby admission was no longer available for anyone qualified to go to high school, but rather it became restricted to high school graduates only, who were definitely training in some apprenticeship program.[20] Since then and up to the present time "* * * Wash-

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worker the processes of his trade. The terms of an apprenticeship agreement usually includes specific reference to the duration of the apprenticeship period, a progressive scale of wages, and the nature of the processes to be taught. Frequently, the agreement also specifies the amount and nature of related schooling in vocational subjects in which the worker shall engage during his apprenticeship period."

[9] The importance of these contracts should not be underestimated. The fact of their existence has been mentioned in a number of publications. The writer, assuming that they are public documents, inquired of them at the Chicago Board of Education. The person in charge of the custody of these documents was nowhere to be found. The department of vocational education (a Mr. Percy) disclaimed knowledge of their whereabouts and sent me to the legal department (Mr. Coffey), also with no results. The writer was then referred to the general superintendent's office which stated that its records only go back to 1953, returned me to the legal department, and then back to vocational education (Mr. Klinginsmith). After speaking to Mr. Heffernin of public relations for the board of education, the search was ended without results. These contracts are probably not binding because of a lack of consideration on the part of the various joint apprenticeship committees.

[10] In response to direct written inquiry to all the unions which have a connection with Washburne, the writer received back only two answers. The Chicago District Council of Carpenters & Joiners stated employment with some employers who have labor relations with the union is a prerequisite to getting into Washburne; whereas the Pipefitters Association wrote back saying no "job" guarantee is needed but that there is a long waiting list. See also Kursh, note 6, supra, p. 64, who states that, theoretically, the applicant is hired by an employer, but the vast majority of apprentices are chosen by the joint apprenticeship committee after certain objective and subjective testing. And John E. Coons, "Civil Rights U.S.A., Public Schools—Chicago," report to the U.S. Commission on Civil Rights (1962), p. 208; who states that admission to Washburne is either by first getting a job, being accepted by a union, or being accepted by the joint apprenticeship committee.

[11] Note 5, supra.

[12] William J. Cooney, "Apprenticeship Education in Chicago Public Schools," M.A. thesis. DePaul University, August 1936, p. 15 .

[13] Ibid., p. 28.

[14] Ibid., p. 19–20.

[15] Ibid., p. 31.

[16] Ibid., p. 32.

[17] Ibid., p. 17–19. Also see Lapp, note 1, supra, p. 23.

[18] Lapp, note 1, supra, p. 28. Secs. 11 to 15 and 16 to 28 of title 20 U.S.C.A. (39 Stat. 929, ch. 114) is what is known as the Smith-Hughes Act. The act provides for Federal financial assistance to various plans of the respective States to encourage vocational education. In the States which have no such boards of vocational education, the act encourages their creation by allowing for one-half of the salaries of teachers in such fields to be paid by the Federal Government through the State board. Section 15p, specifically prohibits the use of such appropriations for private profit. The program begun under Smith-Hughes was expanded in 1946 by the George Barden Act (Vocational Education Act of 1946) which form secs. 15i–15m, 15o–15q of title 20 U.S.C.A.

[19] Pursuant to this section, each State publishes actual courses of instruction in the areas taught. For example, see State of Illinois, Board of Vocational Education. Building Trades, instruction, pt. I, carpentry, series A, bulletin No. 115 (1959) and pt. II, Trades Bulletin No. 116 (1952), 167 and 245 pages long respectively.

[20] Lapp, note 1, supra, p. 28.

burne is the sole center of [apprentice] training in the public schools of Chicago."[21]

The apprenticeship system is one whereby a high school graduate gets 1 day or 2 nights per week training in related fields in supplementation to work experience on the job.[22] He must therefore have, as the theory goes, a job with a contractor and membership in the union representing the workers of such a contractor.[23] Thus the union, the employer, and the apprentice derive direct benefits from the facilities at Washburne. Obviously, the immediate application of what is learned in the classroom to the job is of immense help to the apprentice, but there are also strong arguments in favor of open registration for apprenticeship classes, so as to allow a young worker to present himself to a prospective employer already prepared for the job, with the more formal education already behind him.[24]

Oddly enough the job market in Chicago is wide open when it comes to skilled trades. "The growing shortage of skilled craftsmen" is a problem that apparently people only talk about.[25]

It is very interesting to note that, in effect, the unions have control of admissions to Washburne Trade School.[26] This follows from the theory that Washburne[27] only supplements job training and that its service would be useless without the prerequisite of employment in the trade. This theory is put into actual practice by way of the Chicago Board of Education's abandonment of the admission power to Washburne. As one commentator on Washburne put it, "Apprentices are limited by the respective trades to the probable needs of the trade. The aim is to keep a balanced supply. * * * Favoritism in the selection of apprentices, the best apprenticeships allegedly going to the sons of craftsmen, is * * * much discussed. These are not problems of Washburne, for Washburne takes young workers after they are apprenticed. * * *"[28] The typical program set up by the respective joint apprenticeship committee with the Chicago Board of Education is one whereby the empolyer agrees to pay the apprentice for work done and also allows him some time off to attend the school, subject to good standing in his classwork and in the union with which the employer has a collective bargaining agreement. Thus, at present, the applicant needs to be a union member and to be employed even to get into Washburne.[29] As the practice goes, racial discrimination in acquiring a job or union membership sets up the proverbial "vicious circle" which prevents the possible entrance into a public institution; namely, Washburne Trade School.

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[21] Lapp, note 1, supra, p. 33.

[22] The vast majority of the publicly disseminated "standards" for apprenticeship seen at the Bureau of Apprenticeship and Training, 321 South State St., allow for 1 day per week at Washburne and 4 days on the job. The apprentice receives $2 for his day at Washburne.

[23] See "Wanted: More Negro Apprentices at Washburne Trade School," a report by the Negro American Labor Council in cooperation with the Congress of Racial Equality (June 1961). Pp. 4 and 5.

[24] In an interview with Mr. Buckner, the head of the Chicago area Apprenticeship Information Center, Bureau of Apprenticeship and Training, 321 South State St., it was learned that although it is more advantageous to have an apprentice be able to apply what he learns to the job immediately, yet the related course work would still be of tremendous advantage to someone interested in the trade even without the chance to apply the new found knowledge immediately. He felt open registration at Washburne to students without jobs would be of a great advantage to the future securing of such jobs by such students.

[25] Kursh, note 6, supra, pp. 8, 13, and 21; see also "A Plan for Apprenticeship Training in Illinois," Board of Vocational Education, State of Illinois (Jan. 4, 1960).

[26] See record of transcript, *Todd* v. *Joint Apprenticeship Committee of the Steel Workers of Chicago,* 223 F. Supp. 12 (N.D. Ill., 1963), record p. 577, Charles Mitchell direct testimony; also Lapp, note 1 supra, p. 87, whereat it is stated "The Board of Education and the Washburne Trade School do [sic] not participate in the selection of apprentices; that is a matter for the employers and the unions. When a boy wishes to become an apprentice to a given trade he seeks employment in that trade with an employer who is willing to take him on as an apprentice.

"Illinois has no law governing the selection and indenturing of apprentices and consequently that is left to private arrangement between the employer, the applicant for apprenticeship and the union, if the union is a party to the arrangement."

[27] See Reports on Apprenticeship by Advisory Committee to the U.S. Commission on Civil Rights (January 1964), where it is seen that the problem of the Negro apprentice is not local but is rather, national in scope. At pp. 3–4, the report reprints pp. 160–161 of vol. 3 (of a 5 volume report) of U.S. Commission on Civil Rights' reprint on employment (1961) where it is stated, "Apprenticeship training could be an important means of fulfilling the increasing demand for skilled workmen and of helping minority groups emerge from their traditionally low economic status. However, present apprenticeship training programs are not training even enough craftsmen to replace those who retire, and Negroes constitute a disproportionately small minority of the inadequate number of workers being trained. * * * The nationwide paucity of participation by Negroes in apprenticeship training programs is caused by lack of qualified applicants and also by discriminatory practices of both labor organizations and employers, who control admission to such programs. * * * As the craft unions generally control admission to apprenticeship training programs, racial discrimination policies also operate to exclude Negroes from these programs." See also Report of the U.S. Commission on Civil Rights (1963). P. 229, "In all sections of the country, the artisans of the skilled trades are overwhelmingly of the white race. Apprenticeship programs are maintained jointly by unions and employers to sustain the pool of skilled craftsmen; they contain almost no Negroes."

[28] Lapp, note 1 supra, pp. 87–88.

In many instances, the first step in acquiring an apprenticeship is to apply to the union. The union will thereupon give the applicant certain tests, both objective and subjective. The applicants are then placed on "lists" in order of their rank. Having already conducted personal interviews with the applicants, the joint apprenticeship committee knows if anyone on the "lists" is a Negro. From this point on, action taken could go in one of several directions. There might be at random selection of names from the "lists," of those to be sent to jobs to begin an apprenticeship; the "lists" might be revised with names of new applicants as soon as a Negro applicant nears the top; or "lists" of several hundred applicants might be kept to discourage inquiry.[30]

It is of interest to note how the joint apprenticeship committee got such control over admission into Washburne. About the time Washburne took on its new administrative policies, 1937–39, supporters of the apprenticeship programs and consolidation of such programs at Washburne were in the upper echelons of trade unionism. For example, in 1935, Patrick Sullivan, the then president of the Chicago Building Trade Council, stated in a speech that, "[H]e believe[d] that the legitimate public school, operated, financed, and controlled by the board of education, properly equipped and adequately staffed by teachers * * * is the answer to the question of apprenticeship training. * * * The public must also be educated to the belief that the training of workmen is fully as legitimate a public expense as that of training doctors, lawyers, engineers, etc." [31]

This same belief was also strenuously held by Wilson Frankland, who at that time was both supervisor of the steamfitters apprentices for the Steamfitters Protective Association and also a member of the Chicago Board.[32]

The ironical note to all of this is that the officials allowing the admission procedures to be absolutely vested in the contracting unions never realized the possible abuse that could be made of the delegation of such authority. In 1944 the then director of the State board of vocational education, Joseph F. Thompson, stated the following ideal as present fact:

"To select one's lifework is everyone's privilege, or so it is the custom to take for granted. Such is not the case in all lands, however. Where class societies exist there is but limited choice of vocations; the kind of employment open to a young man is determined largely by the social-economic status of his parents. Where individual liberties are sacrificed to the will of a totalitarian state, there is only servitude. Here all fields of endeavor are open to all youth alike regardless of family social status or paternal occupation. More than that, training at public expense in high school or trade school or college is provided so that all, rich or poor, may apply for the training of their choice. This is the second meaning which Washburne holds for its youth, symbolizing for them the blessing of Americanism as a democratic way of life." [33]

Another example of how the organized labor movement acquired control of Washburne is seen in a pamphlet published in 1939 by the Chicago Committee on Vocational Education and the Citizens' School Committee. It consisted of a series of speeches given in Chicago about the time Washburne became a trade school. Miss Agnes Nester, the then president of the Women's Trade Union League of Chicago, spoke of labor's demand to be represented on local boards of education, and as spokesman for the A.F. of L. reiterated that the labor movement would give "inalterable opposition" to any move to allow large numbers of young people, apparently even if qualified, into trade training without prior approval from joint labor-management types of committees or boards.[34] Next was A.

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[29] Lapp, note 1 supra, pp. 48–55.

[30] See "Wanted: More Negro Apprentices," note 23 supra, p. 6; also see *Todd* case record, note 26 supra, p.. 597 (the board of education or Washburne has no lists from which the joint apprenticeship committees pick the students); and also see discussion of Civil Rights Act, the State of Illinois Fair Employment Practices Act, and the regulation of the Department of Labor accompanying notes 69–132 infra.

[31] Lapp, note 1 supra, p. 39.

[32] Lapp, note 1 supra, pp. 39–40.

[33] Lapp, note 1, supra, pp. 229–230.

[34] "Charting the Course for Vocational Education," pamphlet authorized by Chicago Committee on Vocational Education and published by the Citizens' School Committee (1939), p. 31.

Plotkin, the then general organizer of the International Ladies Garment Workers Union, who restated Miss Nestor's position of the control of the supply of apprentices by organized labor, to insure continuation of our standard of living.[35]

Of surprising interest was a speech by A. L. Foster, the then executive secretary of the Chicago Urban League, who stated the position that Negro youths were at a special disadvantage because "unions will not accept Negro boys as apprentices." [36] And note that this was 25 years ago.

II. THE FACTUAL SITUATION TODAY

The present situation is most readily understood by breaking down the complex picture into the particular issues. Is racial discrimination being practiced in the admission of youths to apprenticeship programs at Washburne? And, if so, who is responsible? Two further questions therefore arise: whether the respective joint apprenticeship committees are legally bound not to discriminate, and if the delegation to them in the first place was legal?

The most dramatic stand for racial equality of opportunity is enuciated by the unions themselves. The national apprenticeship program [37] established the Bureau of Apprenticeship and Training,[38] which aids the Federal policy of bringing together management and labor for the purpose of developing apprenticeship programs.[39] The Bureau's main functions "are to encourage the establishment of sound apprenticeship and training programs and to provide technical assistance to industry in setting up such programs." [40] The Bureau points with pride to the success of the labor-management groups called the joint apprenticeship committees in the construction industry.[41] Under the Bureau's supervision each of the programs set up between the various building trade unions and management associations in Chicago have registered their apprenticeship program standards for public dissemination at the Bureau's Chicago office. There exist agreements with the following trades:

Trade	Number of apprentices per year	Age limits and years of the program	Where trained	Disclaimer of race discrimination [1]
Architectural ironworkers	10	17 to 25 (4 yrs.)	Washburne	Yes.
Bricklayers	15	18 to 21 (3 yrs.)	do	Yes.
Carpenters	120	17 to 26 (4 yrs.)	do	Yes.
Cement masons	65	18 to 23 (3 yrs.)	do	Yes.
Construction electricians	200	17 to 20 (4 yrs.)	Washburne and last year at Kennedy Trade School.	Yes.
Lathers	30-45	16 to 25 (3 yrs.)	Washburne	Yes.
Ornamental iron	(2)	17 to 25 (4 yrs.)	(2)	(2).
Painters and paperhangers	50	18 to 25 (4 yrs.)	Washburne	Yes.
Pipefitters	70	18 to 23 (5 yrs.)	do	Yes.
Plumbers	60	18 to 25 (5 yrs.)	do	Yes.
Roofers	40	18 to 30 (3 yrs.)	(2)	Yes.
Sheet metal workers	50	17 to no limit (4 yrs.)	Washburne	Yes.
Structural iron	12	18 to 30 (3 yrs.)	do	Yes.

[1] This type of clause is now made mandatory by the regulation of the Department of Labor. See title 29, subtitle A, part 30, Code of Federal Regulations.

[2] Not mentioned.

Most of these programs call for 1 day a week training at Washburne and 4 days on the job; salary scales are outlined, and many program chairmen have telephone extensions at Washburne for the initial contact, to be made by the applicant. Some programs state that all applicants need joint apprenticeship committee's approval and some even provide for oral exams.[42] Whether or not the "standard" state that joint apprenticeship committee approval is needed to get into Washburne is not important in the light of actual practice. Charles Mitchell, the present director of Washburne, recently testified to this effect in the case of *Todd* v. *Joint Apprentice Committee of the Steel Workers of Chicago.*[43] The case dealt with the construction of the Federal office building in Chicago. Being questioned on the procedure for getting into the steel workers apprenticeship program, he was asked:

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[35] Ibid., p. 33.

[36] Ibid., p. 52.

[37] For a fuller explanation of the national apprenticeship program, see Kursh, note 6, supra. p. 41.

[38] Chicago offices is headed by a Mr. Orvis Wirtz and is located at 216 South Clark (Federal Building). The Apprenticeship Information Center is headed by a Mr. Buckner and is located at 321 South State Street.

[39] The national apprenticeship program, U.S. Department of Labor, Bureau of Apprenticeship and Training, pamphlet unnumbered (1964) inside cover; also see Kursh, note 6, supra, p. 93.

[40] National apprenticeship program pamphlet, note 39, supra, p. 4.

[41] Ibid., p. 5.

[42] See "standards for registered apprenticeship programs" at Apprenticeship Information Center, 34 South State Street, Chicago.

Question. How is entry into the class obtained?

Answer. They are sent to us by the joint apprenticeship committee. Sent to the school by the joint apprenticeship committee, after they have been employed in the trade.

Question. In other words, the only persons who are accepted for admisison to those classes [steel workers] are those persons referred to you by the joint apprenticeship committee; is that correct?

Answer. Yes.[44]

Later, on cross examination, Mr. Mitchell also answered "no" to the question, "Does the Chicago Board of Education exercise any control over the selection of those who entered the apprenticeship program of the Iron Workers in Chicago." [45] An interesting contradiction later evidenced itself when the cross-examiner showed Mr. Mitchell the brochure of the Chicago Board of Education on Washburne and asked if those programs are available to "anyone who applies?" The answer was "any qualified person." [46] And with that cross-examination was ended.[47]

The actual establishment of racial discrimination is a difficult problem. The numbers of variables in the equation are immense. Perhaps no Negroes apply; perhaps the Negros who apply are not qualified objectively; perhaps preference for union members' sons or employers' sons is filling up the ranks; or perhaps there are Negroes in the apprenticeship programs. At any rate, it is admitted that some Negroes may be in the programs, but only in certain trades and then only in vastly unproportionate numbers.[48] It may be hard to say to a union "You discriminate against Negroes" if they retort that there are Negroes in the union. However, the presence of only 1 or even 10 Negroes in a membership of 500 or 600 is still invidious discrimination.[49]

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[43] 223 F. Supp. 12 (N.D. Ill., 1963).

[44] *Todd* case record, note 26, supra, p. 577 (direct examination).

[45] Ibid., p. 595 (cross-examination).

[46] Ibid., p. 595 (cross-examination).

[47] Of interest was redirect examination which brought out the fact that training may begin at any time, any day, and not necessarily at the beginning of a semester, ibid., pp. 597–598 (redirect examination).

[48] John W. McCallum, "The Chicago Electrical Apprentice, Conceptions of Role and Status," M.A. thesis, University of Chicago (1953). Mr. McCallum interviewer 32 electrical apprentices covering how they got into the program. All of them "knew" someone or "knew someone who knew someone." Of the 32 apprentices, 1 was a Negro. His interview is very interesting (pp. 34–35): "I always wanted to be an electrician, you know, have a craft, and electrical work has always interested me. I did a little of it in the Army, not much, but enough to like it." "After I got out of the Army I went to work in a liquor store in Evanston. The job wasn't a bad one, I got the work on the trade. But that kind of a job don't have a very secure future in it." "I always wanted to be an electrician. So one day I went down to the union hall. They were nice about it, but they said nothing doing, they couldn't put me on. They said I would have to find a contractor, and besides, I was too old, anyway. I just talked to one of the boys behind the cases, he said it wouldn't do any good to talk to one of the big shots." "Well, after that I stayed on at the liquor store. But I wanted to use the GI bill, so I started taking electricity at the Commercial Trade School, 3 hours a night, 5 nights a week. Then when I graduated I still couldn't find a job, the union people still told me the same story and all the jobs had to be union."

"So one day I bought a post card printer. I got a list out of the yellow pages of all the contractors south of the Loop, and sent them all a card. I didn't say I was colored. All I said was that I graduated from Commercial and that I wanted to be an apprentice. I got about 75 replies, but when I told them that I was colored only about 10 or 15 were interested in me, and most of them just wanted me to drive a truck and scab on the union."

"R. ———, the guy I finally went to work for, said that he couldn't make me an apprentice right away. But he said that if I went to work for him, driving the truck and taking care of the supplies, he would send me to apprentice school as soon as his apprentice graduated. So I went to work for him on the truck. I did that for about a year and then when the other apprentice graduated, R. ——— said that he guessed we'd better go down to the hall and see the executive board."

"There was nothing to it, I knew that a lot of them didn't like the idea of having a colored apprentice. But R. ——— was pretty strong with them and I got right in." A footnote in this interview states that the interviewee was the first Negro electrical apprentice and this was 1953.

[49] See also report to the mayor, from the Chicago Commission on Human Relations (Dec. 2, 1963), giving a union-by-union racial breakdown including the number of apprentices which conforms to the above data.

As of the 1960 census there were 3,500,404 persons in the city of Chicago, of which 812,637 were Negro. This figure represents 22.9 percent of the population, an increase since 1950 of 65.1 percent in the Negro percentage.[50] It is a probable certainty that by now the Negro population is at least 25 percent of the total. Four pieces of evidence should be compared with these figures. The first is a talk by Mr. Harold McDermit, one of the attorneys for the Negro plaintiffs in the *Todd* litigation, who interviewed Mr. Mitchell before the giving of his testimony. Mr. McDermit's notes refer to Mr. Mitchell's statements that there are about 15 Negros out of 200 students in the Painter's program (7.5 percent), 12 Negros out of about 600 students in the Electrician's program (2 percent) and no Negros in the Iron Workers nor in the Sheet Metal, Pipefitters, or Glaziers. Secondly, in 1961, the Negro American Labor Council, in connection with the Congress of Racial Equality and a Dr. Faith Rich, published the results of a study done on the racial composition of Washburne. In an interview, Dr. Rich admitted that the study was based on estimates and interviews of reliable insiders, yet at that date it was the only study of its kind to be done at Washburne.

Prof. John E. Coons, of Northwestern Law School, in a paper "Civil Right, U.S.A., Public Schools, Chicago," done in 1962 for the U.S. Commission on Civil Rights, mentions the Washburne racial makeup as of 1960 as being 26 Negroes out of 2,682 students, and bases his information on the Negro American Labor Council report of June 1961.[51] This study, the Negro American Labor Council report, was updated in July 1962, and there was found to be an incerase in the number of Negro students. The increase was a total of 6, raising the number of Negro apprentices to 32, in other words, an increase from 1.03 percent to 1.20 percent in the number of Negro students. Thirdly, along the line of real evidence, was the October 22, 1963, special meeting of the Chicago Board of Education, where, in the official report of the proceedings is found an actual racial head count of students by schools.[52] Washburne had a total of 54 Negroes out of 2,203 apprentices, or 2.5 percent. This still may not be completely accurate for the building trades, which represent only 8 out of the 15 courses of instruction offered,[53] since there was no further breakdown into specific programs.[54] And last, there is also subjective data on racial discrimination at Washburne. In a letter dated June 5, 1964, from the Chicago Commission on Human Relations to the Chicago School Board, Mr. Aaron, chairman of the commission, commented on the existence of racial discrimination in some of the "key trades." He stated that since Washburne received State and Federal funds as well as local funds, all three political entities are parties to a pattern of racial discrimination. The following remarks were then reprinted: On October 1961 a Dr. L. B. Newkirk, speaking for the Chicago Board of Education before a special House Committee on Education and Labor, stated that the Chicago Board of Education is not responsible for racial discrimination at Washburne since the school would "accept" all apprentices from the unions. Congressman Pucinski, at hearing this, noted his lack of ability to understand how Dr. Newkirk could claim that the Chicago Board of Education was not "responsible" since they are one of the essential parties to the pattern. Congressman James Roosevelt also noted that if Washburne and the Chicago Board of Education are being used as tools whereby the unions practice racial discrimination, it should be their duty to retract their support from the programs. The latter goes on to include statements on racial discrimination at Washburne by Professors Coons and Hauser[55] and Federal District Judge William J. Campbell.

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[50] 1960 Census, "Local Community Factbook" (1960), p. 2.

[51] John E. Coons, "Civil Rights U.S.A.—Public Schools, Chicago." Report to the U.S. Commission on Civil Rights (1962). Pp. 208–209. Speaking of Washburne Trade School, Professor Coons mentions that the unions control the trades and failure to get into the school may be tantamount to not getting employed in the trade at all since employees take young workers from within the union and ready to go to Washburne. "The school's (Washburne's) abnegation of the power to determine the identity of its own students permits the employers and unions to use the facilities of the school for preparing whichever applicants they see fit." Later, in speaking of an interview with Dr. Benjamin Willis, Professor Coons mentioned "[T]he surrender of a public function to private organization in this manner is difficult to justify * * * the superintendent * * * made no effort to defend the policy of admission to Washburne. He merely pointed out what he felt were analogous failings of the Federal Government, citing specifically the paucity of Negro workers hired for construction of Federal buildings in Washington." Further on he said that in an interview with the then president of the board of education he was told, "We're going to have to do something."

[52] Official report of the proceedings of the Board of Education of the City of Chicago, Oct. 22, 1963, no pagination, find under "Summary, Vocational High Schools."

[53] Washburne pamphlet, note 5, supra.

[54] Kursh, note 6, supra, p. 99. There are in the United States 4,500,000 building trade workers of which 180,000 are Negro and of 87,000 building trade apprentices less than 170 are Negro.

Action on this letter was not taken at either the July 8 or the August 12 meeting of the school board, other than the granting of board member Pasnik's insistent request that a committee be formed to investigate the Chicago Commission on Human Relations' charge.

The president of the board of education appointed such a committee after the August 12 meeting. The committee is chaired by Judge Scheffler and consists of himself and two other board members, Mrs. Green and Dr. Friedman. At the September 9 meeting the committee reported that as yet it had not begun its investigation of the Washburne situation.

Thus, two types of evidence, statistical and testimonial, can be seen. It may be convincing to note the disproportion of figures, such as 2.5 percent Negro apprentices in a population which is 25 percent Negro; it also seems convincing that men like Professors Hauser and Coons comment on such a state of affairs. But there is also a third element in the pattern. A Negro youth, straight out of high school, interested in continuing the trade for which he has learned the basic rudiments in his high school shop courses, has heard of Washburne Trade School. After all, even the Chicago Board of Education mentions that it is the only apprenticeship school in the city. He has also heard of his chances of getting into the school. The writer has interviewed seven recent high school graduates, all of whom were Negro. Of the seven, six had heard of Washburne and of those six, all knew that they could not get in as an apprentice to their chosen trade because they have dark skin. One of the six, who also happened to have been actively interested in civil rights, even went to the school, as well as to the individual union. He was turned down. Two others have taken the tests given by the bureau of apprenticeship and training and were sent to the various unions with introductory cards from the bureau. They were each given applications to the union, but with no mention of any forthcoming tests, interviews or jobs.

All of the boys were in at least the top half of their graduating class. It is easy to see that the law is not blind to patterns of discrimination which are based on generally widespread and reasonable beliefs in the Negro community that Washburne Trade School and/or the respective joint apprenticeship committees discriminate racially. No one would advocate reverse discrimination—allowing entry to any and all Negro applicants in order to equalize the statistics, but a repeal of the recial policy as it is today, without notice to the Negro community of the change, would still constitute unlawful or unethical conduct in the face of the knowledge that large numbers of Negroes do not apply to the apprenticeship programs, mainly because of the past history of the building trade unions' failure to open their ranks to qualified Negroes.

The financial X-ray of Washburne is not complicated. The school receives funds or is reimbursed for its expenses, from four sources: Federal, State, and local government and occasional donations of material or cash from unions and management. The official Chicago school budget for the year 1963 lists the appropriations for each school and each item thereunder. For Washburne Trade School, the appropriated amount was $767,367.[56] Part of this amount is reimbursed by Federal and State funds, which is channeled through the State of Illinois Board of Vocational Education and Rehabilitation.

In the annual report covering the 1962–63 school year, the State of Illinois mentioned, in the explanatory notes to the charts for the distribution of funds, that "Minority groups are served in proportion to the degree they have been accepted in the labor force," and that "apprenticeship training is conducted for necessary occupations in cooperation with labor unions.[57] Of the 31,929 enrollees listed as being in trade and industrial classes for the State, Washburne Trade School is included with a listing of 4,483 enrollees. This 4,483 figure is shown as representing Washburne Trade School in Chicago, for trade and industrial classes with no further explanation. Undoubtedly, the figure contains the more than 2,200 apprentices. As for State funds, the annual report itemized $568,686.38 from the State for trade and industry classes, $196,145 from the Federal Smith-Hughes Act and $597,802.44 from the Federal George-Barden Act[58] for a total of $1,362,633.82 for the entire State appropriation for trade and industry classes.[59] The difficulty with working with such figures is that the city as the receiver of and the State as the distributor of Federal and State funds, use different terminology and time periods. Without confusing the breakdown any further, it is safe to assume that, with the statements of the Chicago Board of Education in their pamphlet on Washburne,[60] Charles Mitchell's testimony concerning the fact that the school receives State and Federal funds,[61] and the item in the State of Illinois annual report,[62] a sizable portion of the over three-quarters of a million dollars Washburne received last year were State and Federal moneys, with most of the remainder being local government funds. As for the possible private funds from unions and/or management, there is mention of approximately $75,000 in gifts from such organizations or firms to the school in 1939 and 1940 when the school was consolidated at its present location.[63] Whether this is a continuing practice is doubtful and not established by research.

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[55] Report to the Board of Education of the City of Chicago by the Advisory Panel on Integration of the Public Schools (Mar. 31, 1964) (Hauser report), p. 68.

[56] Official report of the proceedings of the Board of Education of the City of Chicago, Jan. 9, 1963, pp. 958–959; see also report of Jan. 8, 1964, pp. 1005–1006 ($567,414); and report of Jan. 13, 1962, pp. 1188–1189 ($859,528).

[57] State of Illinois Annual Report, Bulletin No. 187, series B (Oct. 1962), p. 13. The State of Illinois runs their school year from July 1 to June 30 and since the 1963 budget of the Chicago school system covers the period for which the State reports are available, the school year 1962–63 was chosen for comparison.

III. THE LEGAL SITUATION

Primarily, the legal issues involved turn on whether or not the delegation of the admission procedures for Washburne to the respective joint apprenticeship committees was authorized, and, if not, what legal remedies are available to amend the practice? Secondly, if the delegation is somehow found to have been authorized, are there sufficient standards or safeguards set up for the selection of apprentices, the abuse of which will afford redress to the person or class of persons harmed thereby? Thirdly, if the delegation of admission authority is not authorized, may a taxpayer complain of the use of local, State, or Federal funds for the operation of facilities furnished to a body of persons who exclude members of the public because of race?

There are a number of possible Federal, State, and even local judicial and administrative remedies available once it is established that the present setup between the Chicago Board of Education and the various joint apprenticeship committees are a route whereby Negroes are excluded from the use of the facilities at Washburne.

City of Chicago fair employment practices ordinance

Although the 1945 ordinance[64] has not been used in any reported cases,[65] the law has some possible relation to the factual situation concerning Washburne. The argument would be that section 3 of the ordinance proscribes the practice of any discrimination based on race, et al., on the part of the employer who is also a party to a contract with the city of Chicago.[66] The employers who are members of the various joint apprenticeship committees are parties to the contracts with the Chicago Board of Education, an agency of the city of Chicago, for the use of Washburne Trade School in training apprentices. Therefore, if the employer, in connection with the respective union, disqualifies Negro applicants from gaining apprenticeships, he thereby blocks entrance to employment by the contracting parties and thus is in violation of the policy of the ordinance. Such violations are deemed misdemeanors and are punishable by fines up to $200.[67] In light of the absence of case interpretation it is questionable how far a court would allow the ordinance's policy to escalate. However, it must be noted that the ordinance is puntive in nature and such a law would necessarily have to be implemented by the filing of an information with the State attorney's office.

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[58] See note 18 supra.

[59] Annual report, note 58 supra, pp. 76 and 78 and tables 5 and 6.

[60] See text accompanying note 7 supra.

[61] *Todd* case record, note 26 supra, pp. 581–585.

[62] See text accompanying notes 58 and 59 supra.

[63] Lapp, note 1 supra, pp. 204–210.

[64] Municipal Code of the City of Chicago, ch. 198.7A (August 1945).

[65] As disclosed by research to August 1964.

[66] O'Shaughnessy and Joswick, "Chicago's Fair Employment Ordinance," 36 Chicago Bar Record 55 (1954); see also Martinier and Dunne, "Grant and Revocation of Licenses," 1957 U. of Ill. Law Forum, p. 28, at p. 42, footnote 114.

[67] Municipal Code of the City of Chicago, ch. 198.7A, sec. 5.

Illinois Criminal Code

Section 13 of the Illinois Criminal Code provides that the definition of an "official" is "any officer or employee of the State of Illinois or any agency thereof, including state political divisions, municipal corporations, park districts, forest preserve districts, educational institutions, and schools."[68] The crime is that of violation of civil rights and is constituted when "He, as an official, denies or refuses to any person the full and equal enjoyment of the accommodations, advantages, facilities, or privileges of his office or services or of any property under his care because of race, religion, color, or national ancestry."[69] The sanction for public officials is their discharge, by way of an outlined procedure begun by a written complaint to the head of the department over the offending official, who in the Washburne situation would be Mr. Benjamin Willis for Mr. Charles Mitchell; Mr. Frank Whiston (chairman of the school board) for Mr. Benjamin Willis; and perhaps Maj. Richard J. Daley for Mr. Frank Whiston. This department head is to "investigate the complaint thoroughly" and if a violation of civil rights is found to have been committed, he is to discharge the offending official immediately. If no violation is found, a letter to such effect is to be sent to the complainant.[70] However, if a no-violation letter is sent, a petition may be filed in the circuit court naming the offending officials and the department head as correspondents. This allows for a de novo determination of the issues by a circuit judge.

Thereafter, a finding in favor of the complainant makes discharge of the officials an order of the court for the head of the department to carry out, subject to contempt proceedings for his failure to do so,[71] and even his own removal if he continues to disobey the court's order.[72] There are no cases reported under this section of the new code, or as the section was before its codification in 1961. This section operates as a form of equitable relief in the removal of offending officials.[73] This part of the criminal code was probably meant to allow for the State's attorney or the attorney general to act and enforce the public accommodations section only, but the section is worded so as to allow for the filing of a complaint with the State's attorney or the attorney general, and upon his failure to investigate and prosecute the complaint, a circuit court on petition may appoint a special assistant attorney general or State's attorney to prosecute the instant complaint.[74]

In the Washburne situation it may be difficult to construe the joint apprenticeship committee as operating a place of public accommodation or amusement as is defined in the statute, or to construe their positions as official. The cause of action under this section would therefore, necessarily have to be directed against the Chicago Board of Education or the lessor officials therein who have knowingly allowed the public property to be used in a manner which violated the civil rights of the Negro population of the city of Chicago. There is no question of the availability of this section in light of Federal civil rights laws. Each government has legitimate objects for their respective legislation.[75]

State of Illinois Fair Employment Practices Act

The State's policy behind this act is, among other things, to prohibit racial discrimination in apprenticeship opportunities. The term "employees" as defined, includes persons who are applicants for apprenticeships.[76] The act defines what are "unfair employment practices" and specifically section 3(c)[77] states that it is an unfair employment practice "for any labor organization because of [the] race * * * of any person to discriminate against such persons * * * or to limit such person's employment opportunities, such person's selection and training for apprenticeship in any trade or craft or otherwise to take, or fail to take, any action which affects adversely such person's status as an employee or an applicant for employment or such apprenticeship or as an applicant for apprenticeship or such person's wages, tenure, hours, or employment or apprenticeship conditions * * *." Section 3(e)[78] also makes the compelling or coercing of any unfair employment practice itself an unfair employment practice.[79]

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[68] Ill. Rev. Stat., ch. 38, sec. 13-1(c).

[69] Ill. Rev. Stat., ch. 38, sec. 13-2(d).

[70] Ill. Rev. Stat., ch. 38, sec. 13-3(d).

[71] Ill. Rev. Stat., ch. 38, sec. 13-3(d)1.

[72] Ill. Rev. Stat., ch. 38, sec. 13-3(d)2.

[73] Comment, "Availability of Injunctive Relief Under State Civil Rights Acts," 24 U. of C. L. Rev. 174 at 175, footnote 8.

[74] Ill. Rev. Stat., ch. 38, sec. 13-4.

[75] Comment, note 74 supra at p. 180.

[76] Ill. Rev. Stat., ch. 48, sec. 852(c), unofficial sec. 2(c).

[77] Ill. Rev. Stat., ch. 48, sec. 853(c), unofficial sec. 3(c).

[78] Ill. Rev. Stat., ch. 48, sec. 853(e), unofficial sec. 3(e).

The act provides for an Illinois Fair Employment Practices Commission, which is the agency that receives complaints of unfair employment practices within 120 days of their occurrence,[80] investigates charges [81] and issues complaints or statements of no-complaint within 180 days of the initial charge. [82] The complaint begins a hearing procedure [83] within 20 to 60 days, subject to the commission's review,[84] judicial review,[85] and judicial enforcement of commission orders.[86]

Title 7 of the new Civil Rights Act of 1964 has a great deal of relation to the Illinois Fair Employment Act. The U.S. Equal Opportunity Commission is to agree with the various State agencies for the carrying out of the policies of the two similar laws.[87] As yet, the Equal Opportunities Commission has not taken on the enforcement of title 7 of the Federal act, but it is safe to assume that once the agreements with the States are made, an exhaustion of the State administrative remedies may well be a requirement for the use of the Federal law.[88] The title also provides that if the Equal Opportunity Commission feels direct access to their complaint procedure would better serve the law's purpose, the agreements with the States may be canceled. Furthermore, section 709(d) of the Federal act exempts labor organizations and employers from the recordkeeping requirement of section 709(c), to wit, lists of apprenticeship applicants in chronological order, where there are State laws of similar import.[89] In the cases where the type of information required under the State law is different from that required under the Federal law the Equal Opportunities Commission may request further notation on the organization's books.[90] The overall impact of title 7 of the Civil Rights Act of 1964 is to require the use of any State remedy of similar effect before the Federal law operates.

Federal remedies

Under the broad heading of Federal remedies we find a number of possible areas of the law which seem applicable to the Washburne fact situation. These are the regulations of the Department of Labor, Title 42, U.S.C.A. secs. 1983, 1985; the Civil Rights Act of 1964; [91] and the National Labor Relations Act.[92] It must be further noted that whenever we speak of Federal remedies we must keep in mind the doctrine of exhaustion of State remedies which, as a procedural matter, excludes the use of the Federal courts until all State actions are exhausted. This inhibition of the use of the Federal courts only arises when the action being prosecuted is covered by both State and Federal laws. However, if the Federal remedy is different or based on a different conceptualization of the same set of facts, the action may be found or even be deemed mutually exclusive. For example, we see that the regulations of the Department of Labor are supplementary to any and all State laws covering the same subject matter.

Regulations of the Department of Labor

Title 29, subtitle A, part 30 of the Code of Federal Regulations is a recently promulgated rule of the Department of Labor issued pursuant to Executive Order 10925. It provides, for our purposes, that certain "equal opportunity standards" shall be followed [93] by the registered apprenticeship programs, viz.[94]

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[79] See note 102 infra and text accompanying.

[80] Ill. Rev. Stat., ch. 48, sec. 858(a), unofficial sec. 8(a).

[81] *Ibid.*

[82] Ill. Rev. Stat., ch. 48, sec. 858(c), unofficial sec. 8(c).

[83] Ill. Rev. Stat., ch. 48, sec. 858(b), unofficial sec. 8(b).

[84] Ill. Rev. Stat., ch. 48, sec. 858(g), unofficial sec. 8(g).

[85] Ill. Rev. Stat., ch. 48, sec. 860, unofficial sec. 10.

[86] Ill. Rev. Stat., ch. 48, sec. 861, unofficial sec. 11.

[87] Civil Rights Act of 1964, title VII, sec. 709(b). H.R. 7152, 88th Cong., 2d sess. June 19, 1964).

[88] See text accompanying, note 105 infra.

[89] See text accompanying, notes 77 and 78 supra.

[90] Civil Rights Act of 1964, title VII, sec. 709(c). H.R. 7152, 88th Cong., 2d sess. (June 19, 1964).

[91] Civil Rights Act of 1964, H.R. 7152, 88th Cong., 2d sess. (June 19, 1964).

[92] Title 29, U.S.C.A., sec. 141 et seq.

[93] Title 29, subtitle A, pt. 30, Code of Federal Regulations, sec. 30.3.

[94] Kursh, note 6 supra, see p. 53 for explanation of "registered." In effect, it is a sort of status symbol for those going through a "registered" program and also Federal funds are only to be used to reimburse "registered" programs as explained by Mr. O. Wirtz of the Bureau of Apprenticeship and Training.

A. Selection of apprentices on qualification alone, and on a basis allowing for a "full and fair" review after a "full and fair" opportunity for application, unless it is demonstrable that the present procedure is a fair one.

B. Remove defects in application lists now existing which were made under discriminatory practices.

C. Continued nondiscrimination after selection of apprentices.

In order to implement these standards, the regulation sets out[95] what the allowable methods of selection of apprentices are:

Qualification:

1. Fair aptitude tests.
2. School diplomas.
3. Age requirements.
4. Occupationally essential physical requirements.
5. Fair interviews.
6. School grades.
7. Previous work experience.

There are also certain prohibitions such as listing all of the persons with the minimum qualifications and then picking the names off at random. Section 30.4 also proscribes any ranking of the persons on the application lists unless done on the basis of the objective tests only. Further, the requirements for any particular apprenticehip program are to be published in local schools and employment services. The entire policy of the regulation is to have a program which either demonstrates equality of opportunity or otherwise satisfies the regional director.[96] And, of importance is the section which requires that if there exists any sort of list made without the guarantee of full and fair equality of opportunity, then such lists must be opened to allow "qualified members of racial and ethnic minority groups" a chance to apply.[97] All of these standards must be written into the registered program standards or agreements with the employer associations so as to insure compliance with the initial standards laid down.[98]

The field representative of the Bureau of Apprenticeship and Training is directed to urge voluntary correction of abuses. After a finding on his part that the regulation is not being complied with either formally or in a de facto sense, he is to send a writing to the program sponsor, usually the joint apprenticeship committee, and is then to "urge" voluntary compliance for the next 30 days. Next, the regional director has 20 days to review the file, and if the initial investigation was in order, he will "threaten" deregistration of the program. This gives the program sponsor an additional 15 days to ask for a hearing on the validity of the initial investigation. The hearing officer's report is final—unless adverse to the program sponsor, who then has an additional 15 days to file exceptions to the report. The administrator of the regional office of the Bureau of Apprenticeship and Training then may grant either an additional 20 days to urge voluntary compliance or he may order deregistration.

As for the initiation of private complaints, an act of discrimination must have taken place within 180 days of the filing of the complaint. If local private complaint procedures, which the writer assumes means those procedures within the union itself, are available, they must be followed. However, within 30 days of the local procedures' final decision or the initial 180 days, whichever is later, a referral to the Bureau's field representative may be made. If there was an initial complaint to the Bureau, which in turn referred the complainant to the local precedures, the Bureau will again take up the complaint if there has been no internal correction action of the admission procedures within 60 days. If there is no redress to be had within the internal structure of the union or the joint apprenticeship committee, then the field representative is to investigate the complaint and determine whether there is compliance or noncompliance with the regulation of the Department of Labor. If there is a finding of noncompliance, the field representative may allow for a 15-day period in which to urge voluntary correction of the abuse, and if at the end of such period there has been no change in the admission policy, the regular Bureau's procedure outlined above will be begun. The regulation also provides for an expedited procedure, without an explanation of how it would work. The expedited method is stated as being available only when it will not impinge on anyone's rights and when the situation warrants it.[99] An interesting conclusion is that the regulation provides for the full reinstatement of the program to its registered status upon a mere showing of compliance with part 30, apparently at any time in the future.

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[95] Title 29, subtitle A, pt. 30, Code of Federal Regulations, sec. 30.4.

[96] See title 29, subtitle A, pt. 30, Code of Federal Regulations, secs. 30.4(b) 1 and 2, and 30.2(b).

[97] Title 29, subtitle A, pt. 30, Code of Federal Regulations, sec. 30.5, see also text accompanying, note 30 supra.

[98] Title 29, subtitle A, pt. 30, Code of Federal Regulations, sec. 30.7.

It should also be noted that in a talk with the regional director in Chicago, a Mr. O. Wirtz, it was learned that there has not even been one instance of a complaint or a situation where a failure to comply with part 30 admission standards has ever gotten as far as even a hearing so as to put registration and thereby financial aid,[100] in jeopardy. The excuse given at the Bureau's urging is that regional and local policy is controlled by the respective internationals, which are rather obstreperous in changing traditional admission procedures and qualifications, both objective and subjective.[101]

As for any official policy of enforcement of part 30 subsequent to the passage of the Civil Rights Act of 1964, Mr. Wirtz explained that, as of the middle of July, he has received no instructions as to the taking of a more active part in assuring nondiscrimination in the registered federally assisted programs of apprenticeships.

Civil Rights Act of 1964

The new Civil Rights Act of 1964 is of some noteworthy interest. The two titles of the new act with which we are concerned are title VI, dealing with nondiscrimination in federally assisted programs, and title VII, dealing with equality of employment opportunity. What appears at first glance to be an ideal section for corrective action of the Washburne situation does little exept add to the dilatory effect of part 30 of title 29, Code of Federal Regulations.

Title VI, section 601 states verbatim, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." This policy is now made law and section 602 of the new act states that the agency or department controlling the continuation of funds shall promulgate rules and regulations and shall urge voluntary action if possible in order to comply with section 601 of the act. The Department of Labor, Bureau of Apprenticeship and Training, controls the funds received by the programs of apprenticeship at Washburne in that the State may only distribute the funds it receives from the Federal Government to schools having registered programs. But, the point is, that the Bureau of Apprenticeship and Training is already operating under such a promulgated rule, to wit, title 29, subtitle A, part 30 of the Code of Federal Regulations. Title VI of the new act, therefore, only adds the requirement that if funds are to be ceased, there is to be an additional 30-day waiting period from the date of the filing of a complete report, by the interested agency or department head, with the Senate and House committee with legislative jurisdiction over the particular program.

Title VII at first glance is also encouraging; however, a study of its provisions discloses its noneffect on the abuses in the Washburne situation. The term "employer" and "labor organization" are broadly defined in title VII and include what in the Washburne situation is known as the joint apprenticeship committees.[102] The effect of the title is to condemn racial discrimination in the hiring and discharge of employees by an employer and to proscribe racial discrimination by labor organizations and committees thereof, in the exclusion of members along racial lines.[103] Of particular interest is section 703(d), which makes it an "unfair employment practice" for unions, employers, or committees of each or both, which control apprenticeships, to discriminate against minority groups. Although this appears as an absolute prohibition, section 703(j) affords a possible loophole or defense in that it states that the granting of preferential treatment in order to correct the imbalance of present percentages in various phases of employment and specifically, apprenticeships, is not authorized.

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[99] Title 29, subtitle A, pt. 30, Code of Federal Regulations, sec. 30.13.

[100] See note 95 supra.

[101] Kursh, note 6 supra, p. 98 states "although some leading unions manage to circumvent it. the official policy of the combined CIO–A.F. of L. is 'no discrimination.' "

[102] Although the definition of "employer" (sec. 701(b)) is limited to an industry affecting commerce, the term "labor organization" is broadly defined in sec. 701(b) and includes general committee, joint boards, and joint councils as well as commissions controlling admission to apprenticeship programs (the joint apprenticeship committee). Such organizations are deemed to affect commerce by meeting the tests in sec. 701(e) and which in essence is a numerical test of members and certification as a collective-bargaining representative as per secs. 701(e)(2) (A), (B), and (C) 1 and 5. The term "industry affecting commerce" is deemed in sec. 701(h) to include any such industry as is so considered in the Labor-Management Reporting and Disclosure Act of 1959. This specifically includes the building and construction trades in that the 1959 amendment purports to directly control the labor-management relations of such trades in sec. 8(f) of the Labor-Management Relations Act of 1947 as amended bv Public Law 86–251, 1959.

[103] Civil Rights Act of 1964, H.R. 7152, 88th Cong., 2d sess., sec. 703(c)(2).

Section 705 establishes the Equal Employment Opportunity Commission, which for Washburne's purposes, is the agency with which a sworn complaint of a violation of the act is to be filed. The Commission is to use "informal methods" to correct violations. This means "urging voluntary correction." The entire title is not to be operative if there is a State fair employment act in existence unless there has been no action thereunder within 60 days.[104] Finally, after the Commission has full jurisdiction, it may grant an additional 60-day "urging" period or (1) begin its own civil suit, (2) allow the original complainant to sue civilly, or (3) request the Attorney General to intervene if public importance is involved.[105]

Another possible tack upon which to begin is under section 709(c), which concerns the keeping of records evidencing compliance with title VII. Specifically note the following language: "the commission shall, by regulation, require each employer, labor organization, and joint labor-management committee, subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purpose of this title, including, but not limited to, a list of applicants who wish to participate in such programs, including the chronological order in which such applications were received and shall furnish to the commission upon request a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training programs." This is a circular problem since section 709(d) states that if a labor organization complies with Executive Order 10925 and the rules and regulations promulgated thereunder, he has substantially complied with the recordkeeping part of title VII. Therefore, until an organization is found guilty of violating title 29, part 30, CFR, it cannot violate this part of the Civil Rights Act.

What ever possible use the Civil Rights Act may be, it is, for all intents and purposes, foreclosed for the time being. The section which bans racial discrimination in the admission to apprenticeship programs,[106] the section allowing complaints to the Equal Employment Opportunity Commission, and the section allowing the Attorney General to sue for violations of title VII, do not become effective until June of 1965.[107]

Title 42, USCA, sections 1983, 1985

The strongest argument upon which to base a cause of action concerning the Washburne facts is still title 42, USCA section 1983 or section 1985. These sections are still very much the law. The Civil Rights Act of 1964 does not destroy the effect of this primary codification of the 14th amendment to the Federal Constitution. There is no inconsistency in the two bodies of law and, in fact, the new Civil Rights Act is an obvious expansion or particularization of sections 1983 and 1985. Furthermore, an exhaustion of State remedies is not necessary for the invocation of sections 1983 and 1985. In *McNeese* v. *Board of Education for Cahokia, Illinois,*[108] a Negro student based a complaint of school segregation under section 1983. The Supreme Court, in reversing the Seventh Circuit Court of Appeals and the district court, said that the petitioner rights "under the Civil Rights Act [sec. 1981, et seq.] may not be defeated because relief was not first sought under State law which provided a remedy."[109] The Court went on to say that section 1983 relief is "supplementary to any remedy any State might have,"[110] and "[i]t is immaterial whether respondent's conduct is legal or illegal as a matter of State law."[111]

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[104] Civil Rights Act of 1964, H.R. 7152, 88th Cong., 2d sess., sec. 706(b).

[105] Civil Rights Act of 1964, H.R. 7152, 88th Cong., 2d sess., sec. 706(f) provides for jurisdiction of the Federal district court where (1) the unfair employment practice took place, (2) the records evidencing the practice are situated, (3) where the plaintiff would have worked but for the unfair employment practice, and (4) if the respondent is not found in the above places, jurisdiction may be had in the place of his principal office.

[106] Civil Rights Act of 1964, H.R. 7152, 88th Cong., 2d sess., sec. 703.

[107] Civil Rights Act of 1964, H.R. 7152, 88th Cong., 2d sess., sec. 716.

[108] 373 U.S. 668 (1963).

[109] Ibid., at 671.

[110] Ibid. at 672.

[111] Ibid. at 674.

Section 1343 of title 28, U.S.C.A., allows for jurisdiction of the Federal district court for any State action infringement on the civil rights of a citizen of the United States. The language is broad and includes causes of action "to redress the deprivation, under color of any state law, statute, ordinance, regulation, custom or usage of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for the equal rights of citizens * * * ." [112] Part 4 of the same section makes no mention of "under color of any State law" and merely states that jurisdiction is available "to recover damages or secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote." [113] At first glance, subsection 4 may appear to be applicable to give jurisdiction to the district court for a violation of title VI (federally assisted programs) of the Civil Rights Act of 1964, but it must be remembered that title VI is self-contained and provides for internal agency correction rather than individual suit which section 1343 looks to.

One important qualification of section 1343 is "State action" in the absence of diversity and a requisite amount in controversy. Actions by individuals infringing on the civil rights of the plaintiff are not within the purview of section 1343 jurisdiction.[114] In *Williams* v. *Yellow Cab Co.*,[115] the argument was that a union which had and continues to have a discriminatory policy against Negroes did so under the color of State law since they were the exclusive bargaining agent pursuant to the Pennsylvania Labor Relations Act. The Court mentions that there was no showing of conspiracy with State officials and therefore, no State action and no jurisdiction in the district court. The question, therefore, becomes crucial as to whether State action can be shown. Obviously the Chicago Board of Education and Washburne Trade School are within the scope of State action.[116] A case very much in point is *Westminster School District* v. *Mendez*,[117] where the court of appeals held the district court jurisdiction proper in a case where the school district officials segregated children of Mexican descent from white children even though there was no State law to that effect. Their act was still deemed to be under "color of State law" and jurisdiction was had. In the *Mendez* case the defendants were the officers of the State of California Department of Education and the complaint was based on the deprivation of liberty and property without due process of law. The court pointed out that the abuse of power or position, even if without statutory backing, is still acting under "color of State law" and it is that type of wrong the Civil Rights Act (sec. 1981 et seq.) protects against.[118] The ninth circuit has gone even further in *Romero* v. *Weakley* [119] and has found a duty of the district court to take jurisdiction over a complaint based on section 1983 of title 42 in order to consider its veracity and possible remedies.

The Washburne situation may be seen to have a number of possible connections to either section 1983 [120] and section 1985.[121] The first question which is pertinent is whether the various joint apprenticeship committees may be looked at as engaging in State action. In *Kerr* v. *Enoch Pratt Free Library of Baltimore*,[122] a young Negro girl and her father, as taxpayer, sought admission to a library training course conducted at the free [public] library. The private corporation which managed and controlled the operation of the library and the school attached thereto systematically rejected Negro applicants. The district court dismissed the case, saying the action of the corporation was of a private nature. The court of appeals reversed, saying that although the corporation was private in nature, it is performing a public function and is supported by public funrs, and thereby represents the State to such an extent as to be State action.[123] The appointment of an agent to carry out racial discrimination which the court said that where a municipal corporation supplies the means of existence State is still State action. Although the case was reversed on these grounds, the father of the rejectee had planned on using the theory of a taxpayer's suit to complain of the city's ultra vires act of supporting the library.[124] The court also, by way of dicta, discussed the probable lack of authority to delegate the management and control a free library to a private corporation.[125] In concluding, the court said that where a municipal corporation supplies the means of existence to a private corporation which is performing a public function, it is so tied to State action that it cannot do any act the State itself could not do.[126] As far as Washburne is concerned it is difficult to see how the joint apprenticeship committee is not involved in State action. They determine who shall enjoy the benefit of a free public school. Charles Mitchell, director of the school, has testified that he would accept only those students sent him by the joint apprenticeship committee.[127]

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[112] 28 U.S.C.A. 1343(3).

[113] 28 U.S.C.A. 1343(4).

[114] *Williams* v. *Yellow Cab. Co.*, 200 F. 2d 302, 307 (3d Cir., 1952), citing *Shelly* v. *Kraemer*, 334 U.S. 1, 13 (1948).

[115] 200 F. 2d 302 (3d Cir., 1952).

[116] *Heywood* v. *Public Housing Authority*, 238 F. 2d 689 (5th Cir., 1956), where, at 696, the court of appeals reversed the district court and held that there was Federal jurisdiction over a complaint that a public housing authority in Savannah, Ga., was a State body and acted under color of State law even if the Federal agency involved could not be joined as a party defendent.

[117] 161 F. 2d 774 (9th Cir., 1947).

[118] Ibid., at 778.

[119] 226 F. 2d 399 (9th Cir., 1955).

[120] Title 42 U.S.C.A., sec. 1983: "Civil Action for Deprivation of Rights." "Every person who, under color of any statute, ordinance, regulation, custom, or usage of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[121] Title 42 U.S.C.A., sec. 1985: "Conspiracy to interfere with Civil Rights—Preventing Officer From Performing Duties." (3) "If two or more persons in any State or Territory conspire * * * for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws * * * in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damage, occasioned by such injury or deprivation, against any one or more of the conspirators."

Thus a function properly within the scope of the public school system, namely, admission, has been somehow delegated to the joint apprenticeship committee and makes their acts the acts of the school system. This is not a public facility ordained to private use, which of itself may be bad, but it is rather a public facility and public function delegated to a private body which, because of their connection with the delegating authority, makes their acts the acts of the public authority.

No actual statute need be invoked or pointed to as being contra to the rights of a citizen of the United States. In *Williams* v. *Kansas City, Mo.*,[128] the enforcement of a custom of racial discrimination by public officials was deemed contra to the law of the United States. The mere custom was "under color of State law." The "under color of State law" requirement has been an expanding doctrine. In *Anderson* v. *Moses*[129] the district court held that where a privately owned restaurant canceled a dinner arranged for by a private organization expounding a private cause which happened to have been distasteful to the owner of the restaurant, a suit for damages could be made out under section 1983 since the land upon which the restaurant was built was a city-owned park, thus making the acts of the restaurant State action. The result of this trend, as applied to the Washburne situation, is simply that it is self-evident that the delegation of power normally in an agency of a State has been delegated to a private body thus making that private body's actions the actions of the State and subject to section 1983 relief. It is not enough that the delegation of authority appears fair on its face, but rather it is the de facto operation which may or may not abridge Federal rights.[130]

The other possible theory upon which to proceed arises if it is somehow found that the actions of the various joint apprenticeship committees is not State action, thus foreclosing the use of title 42 U.S.C.A. section 1983 or 1985. The issue would be plain; whether a public agency can allow public property to be dedicated to private use and in fact, expend public moneys for the support of such private organizations? The answer is easily seen to be in the negative, with the only real question remaining one of available remedies.

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[122] 149 F. 2d 212 (4th Cir., 1945).

[123] Ibid., pp. 214–215.

[124] See text accompanying notes 131–135 infra.

[125] Note 122 supra at 218.

[126] Note 122 supra at 219.

[127] *Todd* case record, note 26 supra, p. 577.

[128] 104 F. Supp. 848 (W.D. Mo. W.D., 1952).

[129] 185 F. Supp. 727 (S.D.N.Y., 1960).

[130] See *Ortega* v. *Roger*, 216 F. 2d 561, 562 (7th Cir., 1954).

The question has been well settled in Illinois that a taxpayer[131] with some interest in the subject matter of the suit has a right to prevent the officials of a municipal corporation from making expenditures for illegal purposes.[132] This is based on the theory that the taxpayers are the owners of the city's funds and that the city is a mere trustee.[133] Such suits to recoup illegal payments are well within equity's jurisdiction,[134] regardless of the taxpayer's motives.[135]

In *Kanter* v. *City of Chicago,*[136] however, the Illinois appelate court said that taxpayers bringing such suits must have an interest in the subject matter. In 1956, the Illinois appellate court in *Barret* v. *City of Chicago,*[137] set up the standard for taxpayers' suits as follows: (1) Plaintiff is an actual taxpayer within the corporate boundaries of the city, and (2) if the complaint be true, the loss would fall on the general taxpyer of the city. In fact, city taxpayers have the right to see that public moneys are properly appropriated and they cannot be deprived of this right.[138] Where a corporation or a public board receives revenue from taxation, the taxpayer has a direct interest in its expenditure.[139]

Surely the expending of public moneys for the sole use of a private organization is ultra vires[140] and illegal and may be enjoined; and, a fortiori if such private organization discriminated against a segment of the taxpaying population. In the Washburne context, not only is tangible property and money dedicated to a private use, but there is also a delegation of a power to admit a sort of property right to a private body.[141]

Federal Labor Law

The entire body of Federal labor law may have some possible application to the Washburne fact situation. However, it must first be kept in mind that the National Labor Relations Act and amendments thereto[142] are not Fair Employment Practices Act.[143] The type of discrimination which the NLRA protects against is not the type engendered by the color of another worker's skin, but rather is discrimination based on the employees' union or nonunion affiliations and activities.[144] Concommitant with such a policy, case law has developed a "duty of fair representation" on the part of a union for the benefit of all of the employees in the bargaining unit.

The possible use of the NLRA would be by way of analogy to a few recent cases. First we see the *Phelps-Dodge* case,[145] which holds that in certain instances, persons applying for positions with the employer are to be considered already employed and entitled to the right to be fairly represented by the union with which the employer has a collective bargaining agreement. Besides this, the State of Illinois Fair Employment Practices Act[146] deems persons who are applying for apprenticeships as already being employees.[147] This is the law in Illinois. Therefore, assuming for the moment that an applicant for an apprenticeship applies to either a union or a joint apprenticeship committee, which is the usual case in Chicago, the problem is in finding a particular employer to whom this applicant may be deemed an employee. Without this element of the employer-employee-union fact situation, the NLRA has no real application in assuring a duty of fair representation because there is no particular employer to whom the union will represent the employee. On the other hand, if the apprenticeship applicant applies directly to one of the various employers in the trade he desires, then there may be a duty to represent that person as an employee immediately. Yet, in that case, what would the duty to fairly represent consist of? Possibly nothing, since the collective bargaining agreement may not cover the problem of which employees are to be chosen for apprenticeship training, and such a clause could not be implied; at the most it may mean that the applicant-employee has just as equal a chance at getting an apprenticeship as does any other employee of that employer, and nothing more.

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[131] Ill. Rev. Stat. ch. 24, sec. 1–5–1. "A suit may be brought by any taxpayer, in the name of the municipality, against any person, or for any money or property belonging to the municipality, or for money which may have been paid, expended, or released without authority of law. But such a taxpayer shall file a bond for all costs and shall be liable for all costs in case the municipality is defeated in the suit, and judgment shall be rendered accordingly."

[132] *Bowers* v. *City of Chicago,* 3 Ill. 2d 175 (1954), 120 N.E. 2d 15, cert. den., 348 U.S. 857 (1954).

[133] Ibid.

[134] *Meehan* v. *Parsons,* 194 Ill. App. 131, rev., 271 Ill. App. 131, rev., 271 Ill. 546 (1916).

[135] *Consumer's Company* v. *City of Chicago.* 313 Ill. 408 (1924), 145 N.E. 114.

[136] 1 Ill. App. 2d 420. 117 N.E. 2d 790 (1st Dist., 1954).

[137] 11 Ill. App. 2d 146. 136 N.E. 2d 564 (1st Dist., 1956).

[138] *Getz* v. *City of Harvey,* 118 F. 2d 817. cert. den., 314 U.S. 628 (1941), 62 S. Ct. 59.

[139] *Borah* v. *White County Bridge Commission.* 199 F. 2d 213 (7th Cir., 1952).

[140] *Favorite* v. *Board of Education of Chicago.* 235 Ill. 314. 85 N.E. 402 (1908); *Wilson* v. *Board of Education of Chicago.* 233 Ill. 464. 84 N.E. 697 (1908). Generally holding that the City of Chicago Board of Education has full discretion to manage and control the Chicago school system and that no court will interfere therewith unless there is a clear showing of abuse of such discretion.

[141] Procedurally, once jurisdiction is had in the Federal district court, an alternative course of action based on a taxpayer's complaint would most probably be retained.

[142] Title 29 U.S.C.A., sec. 151 et seq.

[143] The act only goes to discrimination based on union activity and sec. 7 (sec. 157 of official statute) rights to join or not join labor organizations. Cf. *NLRB* v. *Jones and Laughlin Steel Corp.*, 301 U.S. 1, 81 L. Ed. 893 (1937); *Phelps Dodge Corp.* v. *NLRB,* 313 U.S. 177. 85 L. Ed. 1271 (1941).

[144] Title 29, U.S.C.A., sec. 157 (unofficial sec. 7).

[145] *Phelps-Dodge Corp.* v. *NLRB*, 313 U.S. 177, 85 L. Ed. 1271 (1941).

[146] Ill. Rev. Stat. ch. 48. secs. 851–866.

[147] Ill. Rev. Stat. ch. 48, sec. 852(c) (unofficial sec. 2(c)).

CONCLUSION

The United States of America, the State of Illinois, the city of Chicago, the Chicago Board of Education, the director of the Washburne Trade School, and the joint apprenticeship committees of the various building trades who use Washburne Trade School are all involved in a pattern of racial discrimination. The political entities involved supply the public funds and property for what appears to be a public function. And there is no question that the training of apprentices in the construction industry is a public function. However, the present arrangement at Washburne does not afford all members of the "public" an opportunity to receive the benefit of such a function. No matter what the historical accidents were which vested the control of admissions to Washburne apprenticeship programs in the joint apprenticeship committees, the fact remains undisputed that the respective labor-management committees do control the entrance into Washburne. It is admitted that, if these bodies of men allowed for a truly fair policy of admittance to be followed, no one would probably ever be found to complain of their having such a delegated power in the first place, but that is not the case. The statistics show, as well as the testimony of such men as Judge William Campbell, Congressmen Roosevelt and Pucinski, Professors Hauser and Coons, and the entire subjective feelings of the Negro community of Chicago, that the admissions practices for Washburne's apprenticeship programs are based on a pattern of racial discrimination.

The avenues of complaint are many, as are outlined above; but the result sought in all cases is identical—the noncontinuation of the practice of racial discrimination in the choosing of apprentices for the building trades in Chicago. It is beyond the scope of this paper to determine the most appropriate means of redress for the wrong which has been evidenced. It is enough to say that, hopefully, full disclosure alone, to the conscience of the general public, will suffice in order to bring about the voluntary correction of the present abuses. This is no flowery ideal. The men who control the joint apprenticeship committees are not mustache-twirling villains; they are reasonable men who hopefully will listen to reasonable argument. The legal and administrative remedies are more than available—ideally they will not have to be put to use.

CIVIL RIGHTS U.S.A.

Public Schools

Cities in the North and West

1962

CHICAGO

By John E. Coons

A Report To

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

Preface

In collecting material for this report the author personally interviewed the general superintendent of Chicago public schools, the deputy superintendent, the director of special projects, the assistant superintendent for human relations, and other top administrative officials of the school system. Also interviewed were school principals, the dean of a junior college, approximately 15 public school teachers, the attorneys in 3 of the current lawsuits, a member of the State Advisory Committee of the United States Commission on Civil Rights, the director and staff of the NAACP, the research director and staff of the Chicago Urban League, the director of the Catholic Interracial Council, the former chairman of the research committee of the Woodlawn Organization, officers and members of Teachers for Integrated Schools, an officer of the Real Estate Research Corp., and other interested individuals. Every effort has been made to record their observations and positions faithfully on the subject matter of this report.

The author gratefully acknowledges his indebtedness to the many individuals whose assistance and cooperation made this report possible.

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August 27, 1962.

Contents

Part 4: CHICAGO

Page
PREFACE 177

INTRODUCTION 181

RACIAL SEGREGATION IN CHICAGO SCHOOLS 185

Pupil Segregation 185
Teacher Segregation 187

A REVIEW OF STATE ACTION AFFECTING RACIAL COMPOSITION OF THE SCHOOLS 188

Chicago's School Construction Program 189
Transfer Policy 191
Neutral Zones 194
Mobile Classrooms 196
The Empty Desk Imbroglio 198
Teacher Certification and Assignment 205
Selection and Assignment of Principals 207
The Apprentice Program 208
Webb v. *The Board of Education* 209
Burroughs v. *The Board of Education* 212

A REVIEW OF STATE ACTION AFFECTING RELATIVE QUALITY OF SCHOOLS 216

Appropriations and Expenditures per Pupil in Selected Schools. 216
Size of Schools 218
Size of Classes and the Student-Teacher Ratio 218
The Pattern of Double Shift in Chicago Schools 223
Quality of Instruction 224
Provision of Educational Extras to Negro and White Pupils .. 225
Library Resources 225
Quality of Product: the Performance of the Graduate 226

FAVORABLE ASPECTS OF CHICAGO SCHOOL POLICY 228

CONCLUDING OBSERVATIONS 230

APPENDICES 235

Part 4. Chicago

Introduction

The school year 1961–62 in Chicago was marked by acrimonious debate over policies of the general superintendent of public schools and of the board of education which were alleged to result in illegal discrimination among pupils in Chicago schools. During the course of the year, at least three lawsuits and an FEPC complaint were filed against the board of education charging either discrimination on the basis of race, illegal racial segregation, or discrimination unrelated to race. Civil rights groups made allegations of the same kind. The school administration in all cases responded with public denial of the charges. The issues involved were matters of complexity, both as to fact and law. Without exception, these issues clustered about the central fact of densely populated, racially homogeneous residential areas on Chicago's South, West and Near-North Sides. In these teeming sections of the city dwell nearly all of the 813,000 Negroes who constitute approximately 24 percent of the city's population. In these Negro families live 30 percent of the city's children of elementary school age. Because of the large white attendance in private schools, these Negro children constitute approximately 40 percent of all elementary public school pupils. With a young, expanding Negro population and an aging and contracting white population, it seems probable that the public elementary schools will be predominantly Negro by 1970. According to figures supplied by the Chicago Urban League, approximately 90 percent of the Negro elementary pupils currently attend schools which are virtually all Negro and which constitute about 20 percent of Chicago's public schools. This high concentration of Negroes in about 80 or 90 of the city's schools is the consequence of de facto segregation in housing and the neighborhood school policy of the Chicago public school system. Critics of the system allege that it is also in part the planned or unplanned consequence of acts and omissions of the Chicago Board of Education and the superintendent. Much of this study will be devoted to a description of facts and opinions revelant to the degree and causes of racial segregation in Chicago schools.

Other parts of the study will be devoted to a relation of facts and opinions relevant to the question of the equality of educational opportunity in Chicago schools. Critics of the schools have charged that the city has discriminated among the schools in the degree of financial and other support provided. While this charge is generally coupled with an allegation of racial discrimination, the questions of race and racial discrimination may and should be kept separate analytically from the other questions of equal protection. The bestowal of preference by the city upon certain schools could constitute unlawful discrimination under the 14th amendment irrespective of the racial characteristics of the group adversely affected. The standard of equality suggested by the line of cases springing from *Plessy* v. *Ferguson* does not appear to depend for its vitality upon a showing that discrimination is based upon race, even though such a showing, under *Brown* v. *Board of Education*, would be sufficient in itself to establish the illegality of official action.

This study is incomplete as a factual survey and tentative in its conclusions. Wherever available, statistical information is included, but it should be recognized that in many instances these statistics have been collected under imperfect conditions. For example, the dynamics of Negro housing in Chicago make it very difficult to be precise about the boundaries of the colored residential districts. Furthermore, the unprecedented volume of new school construction in the impacted areas of Chicago has necessitated rezoning on a scale far too vast to be encompassed in the present study. The difficulty is compounded by the statutory prohibition of the recording of racial data on pupils and teachers in the Illinois school systems. Chicago school officials have taken this prohibition to forbid even an informal head count by teachers and principals to determine the racial composition of class and school groups. As a consequence, such important questions as the existence of a deliberate policy of gerrymandering school attendance zones to avoid integration can only be approached through isolated cases, and frequently only on the basis of opinion evidence gathered from interested parties. On other issues, there are substantial and useful—although sometimes conflicting—data.

The primary sources for all information are stated in the preface. Where it is known that factual disagreement exists, the sources for conflicting data are given.

No effort was made in this report to assess the general excellence of Chicago schools. The emphasis here is upon facts relevant to questions of constitutional rights. In the course of such an undertaking a general discussion of the quality of the educational program is not pertinent. The absence of such discussion implies no criticism.

The attempt to pass judgment upon a school system's compliance with a constitutional standard of equal opportunity for education implies the existence of criteria by which the quality of education may be judged. Unfortunately about the only item of universal agreement is the assumption that some education is better than none, perhaps with the added proposition that more is better than less. Comparisons of specific content in educational systems are likely to evoke conflicting value judgments ranging from the archly phillistine to the avant-garde. Therefore, the selection of categories of constitutionally relevant information is made with diffidence. For example, the knowledge that the teachers in a given school are less experienced than the average may be a matter either for concern or gratification to the school involved. Does experienced age teach better than enthusiastic youth? And, for that matter, do experienced teachers have less enthusiasm? Is it possible that age itself irrespective of all other qualities has something to do with successful teaching? If so, which age is the optimum—the least, the most, or some stage between?

Despite the "inherently unequal" language of the *Brown* decisions, it is even necessary to ask whether racially integrated education is superior to its opposite. It is not yet clear whether the court had reference merely to governmentally designed segregation or whether it includes fortuitous segregation in determining the unequal character of such education. It is thus legitimate to inquire whether the sheer fact of racial admixture, whatever its other advantages, improves the learning experience, debilitates it, or is irrelevant. It is possible that some students may benefit and others suffer depending upon individual characteristics of such complexity as to elude enumeration, much less suffice as a standard for administrative judgment. Is it merely an act of democratic faith deliberately to mix Negro and white children in one classroom with the hope that this experience will promote interracial empathy?

Finally, does race itself constitute an element in the calculus of quality in education? That is, in order to provide equality, must the Negro be given a "bonus"? On what grounds? Presumably not that of racial inferiority. If the justification is "cultural deprivation," what about the deprived white pupil? And if one object sought is integration, how is the bonus to be bestowed in a class including both white and Negro children? If the bonus is granted only in areas of de facto segregation, will Negro children in integrated schools have a ground for complaint?

The one objective criterion which might be employed to articulate a standard of equality is money. It would be possible in theory to require a school system to spend an equal sum of dollars on each child. For comparison of two schools, both within the same classification—e.g., elementary grades, kindergarten through eight—such an approach may be useful. However, it would be an absurdity to compare a standard elementary school with a school for handicapped students. The logic of the dollar criterion in that case would prohibit the operation of the costlier school for the handicapped. But an ordinary education for handicapped children is by realistic standards unequal. If the question is asked who is handicapped, a full circle is completed and the question of a bonus for Negroes arises again. On the other hand, suppose the dollar criterion is applied to special schools for gifted children. If such schools are costlier, are they not prohibited? They cannot be saved on the theory that the students need more assistance than the average, unless "need" is redefined. Indeed, if handicaps are taken into account, can the expenditure of even an average amount upon gifted students be justified? And so on. Considerable information on school appropriations is included in this report.

Comparable information on Chicago suburban or other Illinois schools is not included, although such data logically would be relevant. May a State surrender educational policy to the municipalities if the inevitable result is discrimination which is more obvious than any existing within any individual school system? The answer for the moment undoubtedly is yes, but the rationale protecting such differentials in the provision of a governmental service is by no means clear. Although the specific factual differentials are not taken up in this study, the author may report the universal opinion that suburban education is superior to that provided in Chicago.

Lastly, there is a question as to the relevance of conditions less recent than the immediate past. Assuming that both the past and the present situations in Chicago reflect both racial segregation and serious disparities in educational opportunity, would the potential illegality be erased if it could be demonstrated that the school system currently is trying to eliminate segregation and the differential in quality among schools? Is it relevant to know whether such efforts are successful, if in fact they are bona fide?

With the reservations suggested by all these questions, the following report is submitted.

Racial Segregation in Chicago Schools

PUPIL SEGREGATION

Since the Chicago Board of Education and the superintendent maintain no records concerning race and are reluctant to express opinions on the subject, the racial composition of Chicago schools can be approached only indirectly. There is, however, very little disagreement about the general facts. According to the Chicago Urban League, approximately 65 percent—or 260 of the 400—Chicago elementary schools are either all white or virtually so. Of the remaining schools, 20 to 25 percent are all Negro and about 10 percent are integrated.[1] The league's methodology in reaching these determinations is to examine the 1960 census data for the tract in which the school is located. If the white population exceeds 95 percent, the school is denominated white; if the white population exceeds 40 percent but is less than 95 percent, the school is considered integrated; if the white population is less than 40 percent, the school is considered Negro. This last conclusion involves the judgment that, once the Negro school population reaches some critical point, white children in the school zone are sent to private schools or white families in such areas tend not to include children of school age.[2] The Urban League also supplemented its statistical assumptions with the personal observations of teachers and others.

In one respect the Urban League figures appear to be too conservative. Interviews with principals and teachers suggest that, although the school may not be all Negro until the population of the area is 60 percent Negro, the transitional period from a Negro pupil percentage of about 30 to an all-Negro school is brief—in some cases less than a year. It appears that, at the critical point—whatever it is—a formerly stable state of integration tends to deteriorate, being reflected by the exodus of white pupils. At the same time that this process is going on in the schools, the exodus of white residents is also apparent in the turnover of housing to the Negroes at only a slightly slower pace. This process is, however, by no means without exception and is influenced by factors in addition to change of racial composition of the neighborhood. It is insisted by some that the flight of the whites is inspired as much by their conviction that the standards of education will deteriorate as by antipathy to integration. Those who take this position frequently argue that white parents believe that the school system loses interest in maintaining standards once the school becomes predominantly Negro. There was no way in which to test the correctness of speculation about white beliefs concerning school policy.

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[1] Statement before Illinois School Problems Commission, Feb. 1, 1962. NAACP figures for 1956 are nearly identical, "De Facto Segregation in the Chicago Public Schools," *The Crisis*, vol. 65, p. 87 (1958). They are confirmed by numerous interviews.

[2] Testimony of Urban League, Chicago School Budget Hearing, Dec. 19, 1961.

The degree of racial compartition in the public elementary schools seems to have increased over the years rather than lessened. One study by the Chicago Urban League suggests that the elimination of legal segregation in Chicago public schools after the Civil War resulted in schools that were integrated in fact, for Negroes were at that time dispersed in many areas of the city.[3] The formation of the homogeneous South Side community after World War I introduced de facto school segregation, but even in 1920 there is evidence that from one-third to one-half of the Negro pupils attended integrated elementary schools.[4] After 1920, racially mixed neighborhoods tended to contract, partly as a consequence of restrictions upon the sale of housing to Negroes and partly from the influx of a large number of southern Negroes who tended to take up remaining white properties in the mixed areas.[5] The degree of racial insularity has probably not altered radically since about 1930, though the Negro population has swelled enormously, and the Negro neighborhoods have vastly expanded their boundaries.

Racial separateness is probably less marked in Chicago high schools. It is also much more difficult to measure, since the high school attendance zones are much larger than elementary school zones and other factors connected with the age of the students may alter the pattern. Further, less research has been done in this area, although a 1958 study by the NAACP estimates that about 40 of Chicago's 55 high schools are racially homogeneous.[6] Interviews with teachers tend to support these figures, but caution is indicated. For the most part this report will concentrate upon Chicago elementary schools.

Another word concerning the methodology of the present study is necessary. In later sections, various elementary schools will be compared with respect to quality of education and other matters. These schools will be labeled "white," "Negro," and "integrated." Judgments as to the racial character of these schools are difficult in certain cases. Confirmation of the classification was secured from teachers and principals who know the schools and from the Urban League. The hardest schools to label with any confidence are those in the "integrated" classification, because of the rapid shifts that may take place. Nevertheless, it is believed that the classifications are reasonably accurate as of the end of the school year 1961–62. To the extent that there is error, it will probably lie in the classification of a school as "integrated" which has in fact become Negro.

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[3] Baron, Chicago Urban League, "An Equal Chance for Education," (preliminary report), March 1962, p. 7.

[4] *Ibid.*

[5] *Ibid.*

[6] "De Facto Segregation in the Chicago Public Schools," *supra*, note 1, at 92.

TEACHER SEGREGATION

There is currently no way to estimate the degree of dispersal of Negro and white teachers among the Chicago schools except through the gathering of opinions of administrators and teachers. Such sources are generally agreed that the number of Negro teachers in white schools is minuscule. On the other hand, there appears to be a fair number of white teachers in Negro schools, which fact has been confirmed by personal observation. The superintendent does not deny these facts but suggested in interviews that there are exceptions and that it was likely that a number of teachers of mixed blood were "passing." The superintendent also agreed that there are no Negro principals of white or integrated schools, although he said that there are many white principals of Negro schools.

A Review of State Action Affecting Racial Composition of the Schools

During the 1930's and early 1940's, it is probable that administrative policy played a significant role in preserving the segregated character of Chicago schools. School zone lines were made to conform to the configuration of the Negro communities and, as these communities grew in population, the administration placed new schools within their boundaries rather than transfer Negro children to available space in white schools. That white students assigned to Negro schools could obtain transfers to other schools seems fairly certain.[7] The present superintendent suggested in an interview that this may once have been the policy of the system.[8] "Neutral" areas were also established. Pupils living in a neutral area were permitted to choose between two or more schools. This apparently had the effect of maintaining the racial character of the schools.

After his appointment in 1947, Superintendent Herold Hunt, in cooperation with a specially appointed committee, planned and executed a redistricting of 102 schools in an effort to relieve overcrowding. The Urban League has characterized this effort as "essentially . . . an impartial application of the neighborhood school policy."[9] Hunt also eliminated most of the neutral areas. The effect of this program was to ameliorate the crowded condition of schools in the Negro neighborhoods and to lessen to a degree the disparity in the size of classes throughout the entire system. Along the borders of the Negro residential districts it also effected some desegregation, although it had no such effect upon the rest of the system.

Superintendent Benjamin C. Willis, who took office in 1953, indicates that in 1961–62 no transfers were permitted from an assigned school without grave cause, although he admits that some pupils may have lied about their addresses in order to attend a school outside their proper attendance zone. The superintendent denies that any gerrymandering is involved in determining the boundaries of attendance zones. The principals and teachers interviewed—and at least one member of the board—were of the opinion that racial considerations have played some part in determining attendance zones, but the complaints are rarely specific and often are based upon sketchy evidence. The new president of the board candidly asserted to this reporter that race has been taken into account in decision-making by the administration and the board. He indicated his disapproval of this policy and his conviction that this approach would be abandoned.[10]

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[7] See Baron, *supra*, note 3, at 6, citing "Chicago Mayor's Committee on Race Relations, Proceedings of Conference, February 1944." And see "Study of the Technical Committee on Intergroup Relations in Chicago Schools, Subcommittee on School Districts, 1948." The committee was requested by Superintendent Hunt to examine the districting and other policies of the school administration.

[8] Interview, June 7, 1962.

[9] *Supra*, note 3.

Those who assert that the superintendent and the board strive to maintain the status quo often deny any imputation of racial prejudice. It is the feeling of many that the administration is merely a part of a city government struggling to preserve the city from the disastrous effects of the flight of white citizens from changing areas. (See appendix D for an example of the pupil turnover in one transitional school district.) No doubt such a response of whites to the spread of Negro neighborhoods is an historic fact in Chicago. Whether this response is in spite of or, in part, because of policies of the board of education is a matter of current debate.

CHICAGO'S SCHOOL CONSTRUCTION PROGRAM

The massive investment of the city of Chicago in school construction in the last decade plays an important role in determining the racial composition of individual schools. To the extent that new schools are located in the heart of existing Negro neighborhoods, the program has the effect of preserving the segregated character of these schools. This will be true so long as the administration adheres to the neighborhood school policy. Even if the neighborhood policy were altered, the location of schools would have an important influence upon the feasibility of any program of open registration, free transfer, or selective pupil transportation of the kind adopted in New York City.

Between 1951 and 1962, over 200 new school buildings or additions to existing buildings were completed at a cost in excess of one-quarter of a billion dollars.[11] This represented a total of 3,498 classrooms. As will appear from the tables and maps in appendices A, B, and F, most of this building was in the Negro residential area just north of the Loop, in the vast Negro sections stretching directly south and west from the Loop to the city boundaries, and in areas in the extreme north of Chicago.[12] These increases in the population in the northern part of the city resulted from the exodus of whites, particularly Jews, from the south and west of the city which took place as the Negro residential areas expanded. At the end of 1961, 74 percent of the existing school facilities of district 11, a Negro area south of the Loop, had been constructed in the last 10 years. Despite these new facilities in district 11, under plans for the immediate future it will receive 292 additional new classrooms. This is more than are planned for any other district. This new construction reflects the massive increase in population in this district in the last decade. In the case of district 11, however, this population increase is not accounted for by the exodus of whites and the influx of Negroes, for the district has been a center of Negro population for generations. The gain in population represents a high birth rate and immigration from the South.

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[10] The opinions indicated in this paragraph were all gathered in personal interviews with the persons noted. See also affidavit of the superintendent in *Webb* v. *Board of Education,* Civ. No. 61C1569 D.C., N.D. Ill., July 31, 1962. "I know of no attendance area in the City of Chicago that has been gerrymandered for the purpose of maintaining a 'racially segregated' school. . . ."

[11] Annual Report of the Superintendent, 1961. Most of the statistical information on new schools comes from this report.

In district 10, on the other hand, the same effects are accounted for by a "breakthrough" into a formerly white community. Although only a corner of the West Side district is now Negro, the density of population in the Negro area has required a new building program. Over 54 percent of the school facilities in the entire district are less than 10 years old, and 267 new classrooms are planned.

District 12, a large white area southwest of the Loop, provides an interesting contrast. Equal in area to districts 10 and 11 combined, only 5 percent of the facilities of district 12 were constructed in the last 10 years and nothing new is planned. It should be noted that districts 11 and 12 are contiguous. The explanation for the contrast is that the Negro residential expansion has halted, at least temporarily, at or about the streets and railroad track forming the district 12 eastern boundary—the western boundary of district 11.

The Negro school buildings in Chicago typically are larger and house a larger number of pupils than the average school. In 1958 nearly all of the 34 elementary schools having an enrollment in excess of 1,600 were in Negro districts.[13] Total enrollment may be unrelated to individual class size and result solely from the additions to existing school facilities as an application of the neighborhood school policy in areas where the population is growing. In fact, however, total enrollment and class size have frequently gone hand in hand. Size of schools and of classes will be discussed in detail below.

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[12] Of the 39 new buildings and additions occupied in the first 11 months of 1961, 22 are in 6 districts of high Negro concentration. They are dispersed as follows: district 20, 5 buildings; district 16, 3 buildings; district 11, 3 buildings; district 10, 4 buildings; district 9, 4 buildings; district 7, 3 buildings. Board of education Press Release, Dec. 13, 1961. *Cf.* app. A.

[13] This appears from an analysis of a report of the superintendent to the board of education, "Elementary Education in the Chicago Public Schools," May 1959, p. 80.

TRANSFER POLICY

An official policy prohibiting transfers from assigned schools has been in effect for a number of years. The no-transfer rule has had two consequences. In a racially homogeneous area, coupled with the neighborhood school policy, it has tended to preserve the segregated character of the school. In integrated areas it has tended to preserve integration by preventing the transfer of white children. It has not, of course, inhibited their enrolling in a private school.

In assessing constitutional implications, the no-transfer rule cannot be viewed apart from the factual availability of space in some Chicago schools. If the schools are all filled to capacity, the transfer policy has little significance. The question of available space will be taken up in detail in a later section.

Among the many new developments in the last year was the announcement of the administration's plans to alter the transfer rule effective in the fall of 1962. The first plan, presented to the board on December 27, 1961, comprised the following proposals:[14]

> . . . that the board could authorize the issuance of temporary permits to pupils on double shifts to enroll in elementary schools with available space within their general area of residence. . . .
>
> Pupils who are granted these temporary permits will be required to provide their own transportation at no expense to the board of education. When full-day session classrooms become available for these pupils in their home school attendance area, in average size classes no larger than 40, their temporary permits should be revoked.
>
> If this be considered by the board, attention then must be given to limiting the number of such permits to that which will bring available classroom space in any given school up to an average class size of 30 pupils.

The Chicago Urban League, which has long advocated greater freedom of transfer, sharply attacked the superintendent's plan. On January 5, 1962, it addressed a memorandum to the members of the board of education which reads in part:[15]

> *The Superintendent's 40–30 Formula*
>
> The most glaring defect—one which can only be seen as an overt admission of a deliberately discriminatory standard—is the amazing 40–30 formula on which the whole plan is based. This formula calls for shifting pupils *only from double shift schools, and only from schools with more than 40 pupils per room—and then allows such shifts only to rooms with less than 30 pupils.* In other words, the standard for the under-used schools (almost entirely white) is to be officially set by the board *at a maximum of 30 per room,* while the standard for the overcrowded schools (largely Negro) is to be set at a *minimum of 40 per room.*

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[14] Memorandum to the board of education, December 27, 1961.

[15] Urban League memorandum to members of the board of education, Jan. 5, 1962. The league also objected to the new policy on the grounds (1) that requiring parents in the neighborhoods most affected to pay for transportation was to defeat the whole purpose of allowing transfers; (2) that the timing and preparation were bad in light of the imminence of the second semester; (3) that the transferees' status was only temporary; and (4) that the program needed a supporting effort in indoctrination.

The Urban League's objection may be somewhat intemperate, but the plan did raise some interesting questions. For example, must available classroom space be utilized on a numerically equal basis? Put another way, is the neighborhood school policy lawful if it results in an unreasonable imbalance in class size? Is it proper to permit one school to operate with a classroom average of 20 pupils while others have an average of 45? If a mere difference in classroom size is enough to demonstrate illegality, surely the neighborhood policy of Chicago, unless supplemented with a liberal transfer rule, is gravely suspect. If, on the other hand, allowances can be made for reasonable differences in class size, how great a difference is tolerable? The superintendent's December formula suggested that a difference of 33.3 percent is not only tolerable, but is a minimum difference that would be maintained in the face of additional applications for transfer. Transfers would be forbidden whenever (1) the sending school on double shift dropped to an average of 40 or went on single shift, or (2) the receiving school average rose to 30. If either factor occurred separately, the difference in average class size between sending and receiving school would always exceed 33.3 percent (i.e., the difference between 30 and 40). It is also important to observe that the superintendent's December transfer plan would retain any degree of imbalance in class size, no matter how great, where the overcrowded school was on single shift, for no transfers would be permitted. If the legal issue is one of relative size, this would raise serious questions indeed.

However, it may be that the Urban League entirely misconceived the issue. If it were possible to postulate an optimum class size—or even a maximum reasonable class size—the issue might be seen not in terms of relative numerical averages but rather in terms of the allowable degree of departure from an established norm. If, for example, 40 were seen as an acceptable standard, the superintendent's December formula might shed some of the malignity perceived by the Urban League. Unfortunately, the plan is vulnerable even from this point of view. The superintendent has taken considerable pride in his efforts to reduce class size to an eventual 30 in the Chicago system on the premise that this is an important step in the improvement of the education provided.

This analysis of the "40–30" transfer rule proposed in December 1961, may be thought hypercritical. If the policy was to be a relaxation of the rigid no-transfer rule, any doubts about the constitutionality of the old rule would be lessened. This is not necessarily true, however. The old no-transfer rule had the virtue of applying, at least superficially, without discrimination. In effect the old rule had the harshest impact on the crowded schools in the Negro districts, but this was not apparent on its face. The December 40–30 rule, on the other hand, was discriminatory on its face. Of course, the racial aspects of both the 40–30 rule and the no-transfer rule, do not appear until an investigation is made as to which schools have crowded classes; but, if the provisions of the 40–30 rule amount to prima facie discrimination, it could invite exactly such an investigation. An additional element in the 40–30 rule that cries out for full disclosure is the administrative interpretation of the words "within their general area of residence"—a further limitation on the transfer privilege.

Finally, it should be noted that a discriminatory effect upon certain schools might violate equal-protection standards irrespective of any finding that the disadvantaged schools are also Negro schools.

The issues posed by the 40–30 rule proposed in December 1961 became moot, or nearly so, by summer of 1962. The proposed rule granted relief only to pupils on the double shift. The superintendent announced that the double shift had been reduced to about 4,000 pupils and that its early elimination was in sight.[16] This would eliminate whatever potential utility the rule might have had. As a consequence, the board of education insisted that the superintendent produce a new transfer rule that would permit the use of underutilized facilities. The board met on August 22, and debated and apparently approved a transfer policy suggested by the superintendent. Precisely what the board intended by this action is not clear. The superintendent's transfer proposal to the board is as follows:

> If you should make the policy decision to introduce permissive transfers, in relation to numbers of pupils and space, I would offer the following guidelines to the board of education in this situation:
>
> 1. Adopt policy decisions after 20th day enrollments in September are known.
> 2. Use the 40–30 base to initiate and terminate possible permissive transfers—first in relation to districts, then schools, and then distance.
> 3. Determine eligibility for permissive transfer in relation to an average class size of more than 40 and the expectation that the situation will not be corrected within a semester.
> 4. Place responsibility for transportation with parents of pupils utilizing permissive transfers since our expectations for new classrooms and thus lower class ratios imply that permissive transfers are an emergency measure only.

A motion was carried to adopt the policy suggested by the superintendent. Does this mean the board will—as suggested by point 1—"adopt policy decisions after 20th-day enrollment," or has it already adopted the substance of the plan? The latter seems more probable and will be assumed here, but other more difficult questions remain.

Under point 2, what is the meaning of ". . . first in relation to districts, then schools, and then distance"? Does the average classroom-student ratio in a whole district have to exceed 40 before any one school within the district is eligible, however large its classes?

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[16] Board of education meeting, June 27, 1962.

Is there to be a limit on distance that the student will be permitted to travel? The superintendent was asked by a board member during debate whether the transferee would be limited to the nearest school with classes under 30. He replied that he had not decided.

Under point 3, what is intended by determining eligibility ". . . in relation to . . . the expectation that the situation will not be corrected within a semester"? Does this mean that the administration may shut off transfers at will by announcing that class size will be reduced to 40 within a semester in any given school or even a district as a whole? If so, the superintendent already may have done so for all except district 20. Simultaneously with the announcement of the transfer plan he predicted that only district 20 would exceed 40 pupils per classroom by December of 1962. Later it will be noted that this prediction seems based upon a larger number of available classrooms than are reported for the schools by their principals.

The debate on this plan by the board suggested that the members thought they were discussing a plan which would permit transfer whenever an individual school's classroom-student ratio would exceed 40. If, however, the result of their action was the adoption of the superintendent's plan, the ambiguities in the scheme will make it difficult to know precisely what the rights of the pupils are to be. Even if the ambiguities in the plan receive the most liberal interpretation, it amounts, in substance, to little more than the plan of last December. The only concession is that the sending school need not be on double shift.

The board understood the issue of transportation involved in point 4. Several members expressed the view that any transfer policy must be implemented with free transportation, but decision of the issue was postponed.

NEUTRAL ZONES

The former use of "neutral" school attendance zones in Chicago has already been noted. Pupils living within the boundaries of one of these zones, unlike the mass of Chicago pupils, could choose among two or more designated schools. Either part or all of the attendance areas of the schools involved was declared to be "neutral" for this purpose.

Neutral zones are susceptible to use as a device to create or preserve segregated schools and, at least until 1948, appear to have been used for this purpose. The example in figure 1 below is purely hypothetical. The attendance zone for school B is a Negro residential

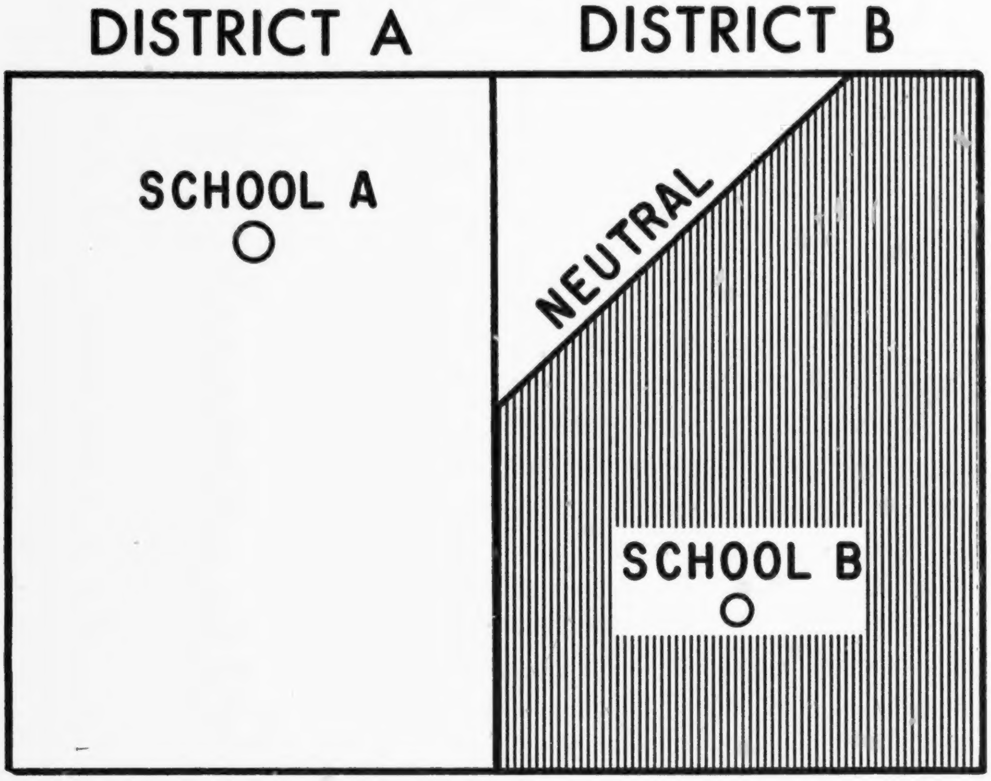

FIGURE 1

area except for one corner. School A's district is all white. By declaring the white corner of district B "neutral," the white children in that corner will be able to opt for school A. The effect of segregation is preserved while the school administration is spared the embarrassment of redistricting on racial lines. So long as the area is merely "neutral," the appearance of disinterested and equal treatment is maintained.

The specific effects of any neutral zone depend upon a number of factors. Residential patterns, the existing racial character of the schools, and boundary lines of school districts and of the neutral zones may occur in a variety of combinations.

The recommendation of the special committee appointed by Superintendent Hunt in 1948 [17] resulted in the elimination of a vast number of such zones. The 18 neutral zones still remaining were abolished by action of the board of education in the summer of 1962.[18] The existence of the 18 zones had been a source of criticism of the administration. It is difficult to justify neutral zones upon any logical ground under a system dedicated to neighborhood schools. Actually, however, the locations of the zones abolished in 1962 suggest that their existence had nothing to do with race. They were located principally in areas of homogeneous racial composition.[19] One official in the administration expressed bewilderment at the original reason for creating them and finally ascribed their existence to "sentimental" reasons.

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[17] *Supra,* note 7.

[18] Report of the superintendent to the board, July 11, 1962. One neutral zone was overlooked but has since been abolished.

MOBILE CLASSROOMS

The intensity of feeling among Chicago Negroes about the policy of the present administration may be gauged by the response accorded the introduction of mobile classrooms. The portable units were purchased with the express purpose of reducing the double shift in crowded areas. Each unit is a classroom approximately 40 x 20 feet equipped with washrooms, fountain, electric heating and air conditioning. They are designed to serve 30 pupils.

In December 1961, the superintendent requested authorization from the board to negotiate with a manufacturer of mobile classrooms.[20] Eventually 150 units were purchased, each to cost about $9,000 installed. The first were installed about March 1, 1962, on a razed tract near the Sumner school, an overcrowded building in the changing Lawndale district of Chicago's West Side. By summer, the mobiles were scattered in clusters up to about 25 in number near various schools in the Negro districts. In the June 1962 issue of the "American School Board Journal," the author of an article entitled "Chicago's Mobile Classrooms" was ecstatic:

> The reaction to the mobile classrooms has been tremendous. There are presently 26 in operation in the city. They have been lauded by teachers, parents, and pupils. Some people have referred to them as "model classrooms." Mothers of children who previously rejected school now state these children will arise early and want to leave by 7:30 or 8:00 instead of being coaxed to leave by 8:45. Teachers praise the desperately needed space to teach that these units afford.

This idyllic scene, unfortunately, was not the whole picture. While these newly inspired scholars sped happily to their mobiles on June 8th, a sullen crowd gathered in the auditorium of Herzl school, another West Side Negro school on the double shift. Herzl had been the beneficiary of 16 mobile classrooms erected several blocks away. Many of the parents of the children ordered to report to the mobiles had decided to boycott the new installation. Their complaints involved the location of the units on a busy street with no playground, the inadequacy of notice, and the fact that the Herzl pupils assigned to the mobiles would walk past the new Henson school in order to reach the mobiles.[21] Most important, it appeared that parents and NAACP representatives objected to the use of mobile units at all, despite any improvements in education made possible thereby.

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[19] Nine of the zones involved schools in districts 1, 4, and 5; three involved schools in districts 12 and 15. There are almost no Negroes in these districts. Two other neutral zones involved 3 nearly all-white schools, i.e., the Bryn Mawr (17), O'Keefe (14), and Bradwell (17) schools. The other combinations of schools were Pasteur (12)—Twain (10); Vanderpoel (18)—Sutherland (18); Sutherland (18)—Clissold (18); Nobel (4)—Cameron (8); and Cameron (8)—Stowe (5). Only the last three pairs of schools could possibly involve racial implications. The identity of these zones was supplied by the office of the general superintendent of public schools.

[20] Minutes of the Chicago Board of Education, Dec. 13, 1961.

The basis of the protest and boycott at Herzl and other mobile sites can be understood only in the light of the dispute over vacant space in white schools. A protracted debate, discussed more fully below, continued throughout 1961–62 between Superintendent Willis and various citizens' groups over the number of vacant seats and classrooms in non-Negro areas that might be used to reduce overcrowding. Adopting the assumption that such space did exist, the expenditure of nearly $1½ million for mobile units began to appear to many Negro parents in one of two lights. Some saw it as a waste of money, others as a calculated effort on the part of the administration to prevent the transfer of pupils from crowded Negro classrooms into the white areas. At one point, Mr. Raymond Pasnick, a member of the board of education and a frequent dissenter, remarked in a board meeting:[22]

> Are we going to spend one and a-half million dollars for 150 of these makeshift trailers and perpetuate ghettos in this city? Are we going to do this when there is considerable evidence, irreputable [sic] so far, that we have enough vacant space to give these children a decent educational opportunity. If this board buys these mobile classrooms in the face of this evidence that there is available space in our regular schools, it will deservedly bring down upon itself the scorn and wrath not only of people in our community but in the State and in the Nation. Trailer classrooms will become the symbols of segregation.

The complaints about the mobile units were not universal. In many areas they were in fact received very well, and, even at Herzl, many of the children and parents did not join in the boycott. The Negro principal of one Negro elementary school told this reporter that the mobile units were a desirable addition to any school. He only regretted his own conviction that their introduction represented not merely an effort to relieve overcrowding, but an intention to keep Negro pupils in their own schools. Others did not add this qualification, and were unwilling to question the good faith of the board of education and the superintendent. The president of the board who was extremely candid on all questions, indicated his belief that the board had no motive to segregate in adopting the mobile classroom program.

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[21] The investigating committee from the board has acknowledged that the disposition of the units was ill-conceived. The units have since been relocated. Interview with the president of the board, Aug. 1, 1962.

[22] Minutes, *supra*, note 20, at 26.

THE EMPTY DESK IMBROGLIO

No fair assessment of the charges of discrimination is possible without examining the question of unused space in Chicago schools outside the Negro districts. If no space was available in these areas in 1961–62, criticism of the administration's approach to overcrowding in public schools is simply an attack on its neighborhood school policy—a policy which may or may not succumb in the constitutional long run, but which at present seems reasonably secure. If, however, space in fact existed in quantity, then the refusal to permit transfers, the maintenance of overcrowded schools and double shifts, the extensive building program in the impacted areas, and the use of mobile units, suggest some serious issues. It is not surprising that the yearlong scrimmage between the superintendent and his critics was most intense on the question of vacant desks and classrooms. What is surprising is the failure of this prolonged and bitter logomachy to produce a clear statement of the number of unused or underused classrooms. On July 2, 1962, the Chicago Daily News was able to say in the first of a series of articles on Superintendent Willis, "Despite heated protests, Willis never made clear just how many vacant classrooms the schools had last term."

In some earlier administrations, such information had been published. The present superintendent explained that it is no longer published because it is too difficult to obtain and because the calculations are too uncertain and ambiguous and not very useful.[23] A member of the board said that the information is very useful, may be obtained by a phone call from the superintendent to the principal, and that he had been trying without success to obtain it from the superintendent.[24] The deputy superintendent suggested that the publication of the statistics ceased because pressure groups were using outdated lists to embarrass the school administration.[25] The president of the board stated that there had been no inventory for years, that such an inventory was imperative and would be required of the superintendent by the board, and that the board would then "let the facts speak for themselves." [26]

Whatever the reason for the failure to publish a regular classroom inventory, the fact is that, once the warfare commenced last year, the public was treated to a statistical display of prodigious and bewildering proportions. Even the bare outline of this mathematical blizzard requires considerable telling. The critics of the administration led off at the opening of school in September. The NAACP reported that enough space existed in white schools to take 25,000 to 30,000 pupils in Negro schools off double shift. Negro children and their parents reported at 10 schools outside their assigned districts and unsuccessfully attempted to register. On the 13th and 15th of September, the Chicago Sun-Times reported a board of education meeting at which the superintendent said he did not know how many classrooms and seats were vacant. Board member Pasnick noted one study which reported 20,000 unused seats. Another study was mentioned which estimated 75,000 seats. The superintendent replied, "ridiculous." The board directed the superintendent to prepare a feasible plan for using vacant space.

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[23] Interview, June 7, 1962.
[24] Interview, June 14, 1962.
[25] Interview, June 7, 1962.
[26] Interview, Aug. 1, 1962.

On October 11, in a report to the board, the superintendent briefly adverted to the question of surplus classrooms, but mentioned only 1957 statistics. The report is chiefly interesting for the revelation that statistics on classroom surplus and shortages were in fact kept in 1957 and plotted on maps of the system.[27]

On November 8 the superintendent reported on empty classrooms in somewhat greater detail, as directed in the September meeting. However, he first announced administration plans which would use some of the available space, and confined his discussion of empty classrooms to those remaining after these plans were implemented. At least three of these plans may be relevant to the question of proper and bona fide use of vacant space when viewed in the light of overcrowded schools in the Negro areas:

1. The superintendent requested and the board approved the transfer of over 2,000 students from various high schools, principally white, into branch high schools created in elementary school buildings. The elementary schools to be utilized were, in nearly all cases, in all-white areas.[28] The superintendent stated that the high schools involved were overcrowded but gave no figures. It does not appear that they were on double shift.

2. The superintendent recommended the redistricting of 80 elementary attendance areas in order to achieve a balanced classroom-student ratio of approximately 1 to 30. Most of the schools involved were white schools with class sizes ranging from fewer than 20 up to about

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[27] The report notes:

". . . (b) In 1957 maps were drawn for similar studies each year [of the double shift].

1. High school surplus and shortage: Red dots—surplus of 4 or more rooms; Green—shortage of 4 or more rooms.

Note that as late as 1957 there were surpluses where there are shortages today.

2. Elementary surplus and shortage: Red dots—surplus of 3 or more rooms; Green—shortage of 3 or more rooms.

3. Here is a quick reminder of where surpluses and shortages were showing in 1957 . . ." Report, Oct. 11, 1961, p. 17.

The superintendent obviously referred to maps during the presentation of the report.

[28] The elementary schools retaining their own graduates or receiving new students under this program were Beaubien (5), Bradwell (17), Bridge (4), Gage Park (12), Hay (4), Irving Park (5), Norwood Park (1), J. N. Thorp (17), and West Pullman (18). Only the Thorp school contains a substantial number of Negroes. *Cf.* app. A.

35. Almost none of the crowded or double shift schools were to be affected. The total result would have been to distribute evenly the students in the less densely settled attendance areas. The plan was criticized by opponents as an effort to cloak evidence of available space.

On December 27, in a subsequent report to the board, the superintendent withdrew this redistricting plan. The board directed him to prepare a transfer plan instead, and the "40–30" plan discussed above was eventually offered.

3. The superintendent recommended that the board adopt as policy the setting aside of one vacant room in every school as surplus space for purposes of flexibility. He indicated that this was then possible in about 5 percent of elementary schools (i.e., approximately 20 schools).

Each of these plans first assumed the existence of unused space in various schools, and then suggested uses which either would fill the space primarily with white students or leave the space unused. Having accounted for and disposed of this space, the superintendent reported that vacant classrooms remained. He stated, however, that for the most part, these rooms would be needed when certain housing developments were completed, or that they were already committed to relieve overcrowding in the impacted areas where they were located, or were in overage and dangerous buildings. He stated that there remained only 14 empty rooms in the entire Chicago school system. At no point in this report or later was a complete inventory of all Chicago schools provided.

The report to the board on November 8 and a subsequent report by the superintendent on November 22 provoked in turn a study of selected schools by the Urban League.[29] The league compared the total number of classrooms reported in various schools by Superintendent Hunt in 1948 with the Willis figures of 1961. On this basis, the league found that the present superintendent had overcounted the number of classrooms in Negro schools and undercounted in white schools. It reported 382 undercounted classrooms. In the board meeting of December 13, board member Pasnick (admittedly no admirer of the superintendent) referred to the Urban League figures and commented:[30]

> We have in the last two months seen a great effort made to hide or cover up vacant classrooms, either through unreporting or through a variety of sudden transfers for various purposes other than reducing double shifts. It is easy for me, and perhaps others, to jump to the conclusion . . . that in light of this there may be a deliberate pattern of work here to keep children segregated. Everything points to a willful effort to block the integration of pupils through various devices and through the misuse of classroom space.

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[29] Report of the Chicago Urban League, Dec. 8, 1961.

[30] Minutes, *supra*, note 20, at 26.

On December 18, the superintendent issued a reply to the Urban League. He stated first that "classrooms" in the 1948 report meant "total classrooms" and in the 1961 report meant "available classrooms," a concept excluding library, home mechanics, and other rooms. Thus the 1948 report was said to exaggerate the number of rooms. This would explain the apparent undercounting in the white areas by the present superintendent. But when one recalls the alleged "overcounting" in the Negro areas in the 1961 report, the explanation is less satisfactory. If the present superintendent's method of counting produced fewer rooms in white schools than the 1948 report, it should have done so in the Negro areas as well, but the opposite was true.

The second major criticism by the superintendent of the Urban League report is clear. As the league had indicated was possible, some of the 382 rooms had been demolished—in fact, the superintendent said, 84 rooms, or 22.4 percent no longer existed.

The superintendent's third objection to the league's report was the listing as "vacant" of rooms in fact being used for high school branches. This accounted for 62 rooms or 16.2 percent of the total.

If the first objection to the league report is disregarded as meaningless, the report erred to the extent of 38.6 percent or 146 rooms. Of course, this would mean that 236 empty rooms (61.4 percent) had in fact been identified.

On January 10, the superintendent issued a more detailed statement of total available classroom space in the schools studied by the Urban League. This report again employs a more "conservative" method of counting rooms than that ascribed to the 1948 report. On this basis it demonstrates that there has been no undercounting in the white schools and that for these schools the 1948 and 1961 reports, when adjusted for the difference in method, agree almost precisely. Unfortunately, it again demonstrates that on the same basis the overcounting for the Negro schools in the 1961 report would be even greater. For the 4 schools reported in district 13, the superintendent's figures show 11 more rooms than the 1948 report, and the pattern is the same throughout the other Negro districts. This curious result invites other possible explanations of the differences in the two reports. The most obvious possibility is that one of the two reports is simply wrong. Further events failed to clarify the situation. On January 16, the Sun-Times reported a statement by the public relations director of the board of education that 200 classrooms were "available." This figure was later confirmed by the then president of the board.[31] If this last statement is coupled with information from the superintendent himself, indicating that 85 additional rooms would be made available by

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[31] Chicago Sun-Times, Mar. 8, 1962. ". . . But the figures don't mean anything because nobody knows what is a proper or an improper use for classrooms."

February graduations,[32] the result is startling. This total of 285 rooms at 35 pupils per room, if the necessary transport were available, could have taken nearly 20,000 pupils off double shift in February without purchasing mobile units. The difficulty with this conclusion is that since no one is sure which figures are correct, the estimate may be an egregious overstatement. On the other hand, it may be conservative.

In January the classroom-counting contest took a new and dramatic turn. A transfer of children involving several South Side schools raised the question of available space in the nearly all-white Perry school, a situation discussed in greater detail below.[33] The Perry matter eventuated in a suit against the superintendent and board. A second and related court action, this time with Negroes as criminal defendants, grew out of the activity of "truth squads," which began to annoy school administrators in the white areas. These groups consisted principally of Negro mothers who were searching for empty classrooms. Their uninvited, and sometimes opposed, visits resulted in their arrest and conviction on ground of criminal trespass. The defendants received $50 suspended fines in June.[34] They have said that they will appeal.

It is interesting to note how the discussion tended to shift from the larger question of underused space to the narrow question of totally vacant classrooms. In answering his critics, the superintendent emphasized not the degree of utilization of the facilities but only the rooms that had no students whatsoever. He seemed to assume in the debate that a classroom in use by a small number of students was not to count as vacant. This left the question of the amount of usable space ambiguous. Under this approach, in comparing a school housing 20 students per class with one housing 45, it was possible to say that neither had vacant space if all rooms were in use.[35]

Whether or not large numbers of vacant rooms existed, it has remained reasonably clear throughout the controversy that, viewed in terms of *relative crowding of facilities*, the white schools did have space. This appears clearly from the utilization of over 2,000 spaces in white elementary schools for high school branches proposed on November 8. It appears also from the redistricting plan noted, the object of which was to achieve an average of 30 students per class in 80 schools, primarily white. A later section of this report will suggest that the average class size in the Negro schools was significantly greater than the proposed 30 average. This disparity in class size between Negro and white schools has never been denied by the superintendent. Indeed, its alleviation has been one of the avowed objectives of his building program in the impacted areas.

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[32] Board of education, Press Release, Oct. 11, 1961.

[33] See *Burroughs* v. *Board of Education,* discussed *infra,* pp. 212–15.

[34] Chicago Sun-Times, June 6, 1962.

[35] It is true, of course, that an underused classroom is not as handy as an empty one. The introduction of transported students into the empty desks in an existing class unit creates more and greater administrative problems than installing the transported group in an empty room. Whether this added difficulty would justify a refusal to transfer children to an underused facility is at best questionable. To recognize such a justification might invite the distribution of students in an unfilled school in small groups so as to preempt all classrooms.

Where there exist classrooms which are totally empty, a different question is posed. May the class units of the receiving school, irrespective of size, properly be kept completely separate from the transported pupils? Where children are bused from an all-Negro school to an all-white school, may they be kept completely isolated within the receiving school by assigning them separate facilities? Any answer to this question put in general terms would appear doctrinaire, but to suppose there is no problem is equally unrealistic. Such separation indeed might be a clearer case of discrimination under some circumstances than not busing at all.

The disparity appears again indirectly from a comparison with the school population in Chicago in the year 1932–33. At that time, the elementary and high school pupil population (472,789) was only 4.3 percent less than the 1960–61 population (494,270). In the early thirties the problem of the double shift was greatest in areas of the city which were then and still are white. Since those days, the white population of Chicago has declined and its average age has increased with a consequent depopulation of the schools. It is the vast increase in the Negro population—a young and prolific population—that has filled the pupil ranks. The pressure has come in the main, not on the schools that were overcrowded in the early thirties, but on the schools in the Negro neighborhoods. It is instructive to compare the 1961–62 pupil population of a few of the schools that lie near but outside the West Side Negro districts with the population of those schools in 1930–31:

School	District	1930-31 [1] enrollment	1961-62 [2] enrollment
Corkery	10	947	872
Gary	10	1, 031	728
Key	4	639	489
Lafayette	6	2, 479	1, 451
Lewis	4	953	588
Lowell	6	1, 787	1, 430
McCormick	19	927	878
Nash	4	1, 145	757
Nobel	4	1, 354	842
Orr	4	1, 255	531
Spencer	4	935	827
Whitney	10	1, 180	741
Young	4	1, 726	660
Total		16, 358	10, 784

[1] The 1930-31 figures are taken from a study prepared by the Greater Lawndale Community Council, Schools Committee. June 28, 1960.

[2] From the Directory, Illinois Schools, 1961-1962.

The decline in enrollment is marked. Of course, classes were probably overcrowded in 1930–31 and it is possible that demolition has removed space in some of these buildings (although it is also possible that additions have been built). Conceding these unknowns, it remains probable that some of these schools could have accommodated students from Negro schools that were on double shift in 1961–62 if this had been thought desirable.

The school year ended in June with a proposal by the superintendent to create a number of additional high school branches in elementary schools most of which are in white areas. These additional changes will mean that more than a dozen new high school branches will be in operation in white elementary schools in September.[36]

It is reasonably clear from this mass of indirect evidence that substantial space existed in a number of areas of the city in 1961–62. The new president of the board readily conceded this in an interview, although he stated that he though the Urban League count was exaggerated.[37] Even if the use of this space for high school students in 1962–63 were regarded as imperative because of anticipated high school overcrowding, the failure to use that space during 1961–62 to relieve the overcrowding in impacted areas presents a troublesome appearance.

During 1961–62, the administration, consciously or not, was faced with a choice. It was clear that the overcrowded schools had to be relieved. The issue was whether this should be accomplished by transfers to uncrowded schools or by the purchase of mobile units. When the superintendent took the position that there was no room in other schools for this purpose and the board did not dissent from this conclusion, the issue was foreclosed. Why the superintendent so concluded and why the board accepted his conclusion without inquiry in the face of the evidence is difficult to understand.

In response to a later board directive the superintendent produced a list of total "available classrooms" in each elementary school at the August 22 meeting. This list will be discussed again below, but it should be noted that the report did not satisfy all members of the board. It was objected that a more complete inventory would be necessary to assess the degree of overcrowding properly. The later discussion in this report of class size will indicate that, even on the basis of the superintendent's figures of August 1962, it is clear that substantial disparities existed between schools with respect to the degree of utilization of facilities in 1961–62.

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[36] Report to the school board, June 13, 1962. Some of the designated elementary schools which are clearly in predominantly white areas are Boone (2), Dawes (15), Hubbard (15), Jamieson (12), Orr (4), and Taylor (17).

[37] Interview, Aug. 1, 1962.

TEACHER CERTIFICATION AND ASSIGNMENT

Two matters will be dealt with under this heading: (1) the methods of teacher certification,[38] and (2) the methods of teacher assignment to individual schools.[39]

Teacher certification is relevant to the question of discriminatory State action only in an indirect way. It is useful, however, in gaining a general picture of the internal character of the Chicago school system. All teachers in the Chicago public schools must be certified. The normal procedure for permanent certification involves the taking of an examination which is in part written and in part oral. The written examination is prepared and administered under contract by one of the national testing services. There are examinations of various kinds given for the different categories of certificates—kindergarten-primary, grades 3–8, trade school, high school, etc. The examination for each category has a slightly different scoring system, usually with a passing mark of about 80.

The oral examinations ordinarily are conducted for individual applicants by an examining board consisting of principals and district superintendents of the Chicago school system. A minimum grade of 80 is required in all oral examinations. They are ordinarily conducted within the space of a half or three-quarters of an hour—a fraction of the time of the written examinations. The oral examinations are not subject to review. It would be extremely difficult to obtain direct evidence indicating either that the oral examination is or is not employed to exclude teachers because of race. That discrimination is effected in this way appears unlikely, however, since there are a large number of Negro teachers in Chicago.

The principal issue of discrimination in the area of teacher selection involves the assignment of the certified teacher. It is often suggested that Negro teachers are never or rarely assigned to white schools. This is in fact probably true, but it does not of itself, or even in context, demonstrate discrimination. The truth seems to be that ordinarily neither are white teachers assigned originally to white schools. Before this becomes too mysterious it should be observed, first of all, that openings occur with much greater frequency in Negro schools. Since on initial assignment a teacher may choose only among schools with vacancies, he is apt to be assigned to a Negro school whether he is white or Negro. The "popular" schools with fewer openings are generally in the white areas. To transfer to such a school the teacher who is dissatisfied with his original or present assignment signs the transfer list for that school in the office of the board of education. He may sign the transfer list of as many as six schools if he desires. When his name comes to the top of the list for any school, he may transfer to that school at the beginning of the next semester, unless the principal of that school visits the class of the prospective transferee and reports in writing to his district superintendent his reasons for refusing to accept the transfer.

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[38] The information with respect to certification comes principally from the 1961 Circular of Information of the board of education containing "Rules and Information Regarding Examinations of Candidates for Certificates to Teach."

[39] Information on teacher assignment procedures was gathered in interviews of administrators, principals, and teachers.

It is quite impossible to say whether this system results in the refusal of transfers based on race. No evidence of such discrimination exists. It seems probable that the small number of Negro teachers in white schools is more the consequence of the failure of these teachers to request transfer. This is the opinion of many teachers sympathetic to integration. This reluctance to transfer to white schools is explained as a consequence of a combination of factors relating to the Negro teacher—distance of the school from the teacher's residence, fear of rejection in the white schools, dedication to the teaching of underprivileged Negro children, and sheer inertia.

The method of assigning substitute teachers is often cited by critics as a source of discrimination, but, again, proof is lacking. When a school needs a substitute teacher, the principal is required to telephone the "subcenter" for his district. The center communicates with a substitute who fills the vacancy. It is said that Negro substitutes are rarely called for white schools, either because the principal does not want them or because the center informally assigns substitutes on a racial basis. This inference, however, is often based upon the experience of teachers in white schools who rarely encounter Negro substitutes. In an all-white district this is not surprising, as the distance from the residences of Negro teachers often would suggest a natural selection of whites. In the fringe areas, the allegation, if true, is less easily explained.

In the spring of 1962 the first complaint under the new Illinois Fair Employment Practices Act was filed by a Negro teacher who alleged that her application in 1961 for a position at one of the city junior colleges was rejected because of race.[40] The complainant testified at the hearing before the commissioner that she had been promised the teaching post over the telephone but, upon appearance at the school, was rejected.[41] The complainant at the time was a psychology counselor at a private university in Chicago. The student counselor at that university who had recommended the complainant to the college testified that the chairman of the college's social science department thereafter called him and complained because he had not been told the applicant was a Negro. This witness further alleged that the chairman stated that the college had a policy against hiring Negroes although there was a possibility the policy would change.[42] The chairman then testified that he had made no such statements and that the college had no such policy.[43] An employee of the Chicago Commission on Human Relations testified that the dean of the college had said at a conference on the matter that any Negro would have to have exceptional qualifications to be hired because of the neighborhood situation.[44] The dean testified that the complainant had not fully complied with the requirements of the board of education, but stated that she might have been hired if no one better qualified had been available, which was not the case.[45] He indicated outside the hearing that he already had a part-time Negro teacher who would become full-time in the fall, and had hired another.[46] A decision by the commission is not expected for some time. Some question exists under the statute whether the board of education is subject to the jurisdiction of the commission.[46a]

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[40] *In re Sylvia Taylor,* charge No. 62-1, State of Illinois Fair Employment Practices Commission, 1962.

[41] Transcript of record, pp. 17-24, 26-32.

SELECTION AND ASSIGNMENT OF PRINCIPALS

Principals must successfully complete written and oral examinations which are conducted in a manner similar to those for teachers.[47] To be eligible to take the principal's examination, the applicant must have taught 6 years in Chicago schools. There are a number of Negro principals in Chicago, but apparently none is assigned to a white school. Unlike teacher segregation, this situation is not easily explained. There is no apparent reason for the imbalance. In conversation, the superintendent indicated that Negro principals had on two occasions been assigned to non-Negro areas, but the reaction of the teachers had been negative. He did not elaborate further. The president of the board feels that the Negro principals prefer to be assigned to the Negro schools and that the opportunity will be opened to them in the white schools if they seek it.

One anomaly in this picture cannot be ignored. There has never been more than one Negro principal of a general Chicago high school, and it has always been the same school—Wendell Phillips, an all-Negro school. There has not been a white principal at Wendell Phillips since the 1930's.[48]

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[42] *Id.* at 59–64.

[43] *Id.* at 133–34, 144.

[44] *Id.* at 164–67.

[45] *Id.* at 102–05, 108–09.

[46] Chicago Daily News, July 3, 1962.

[46a] On October 29, the commission announced its decision. It found the charges of discrimination proven but held that the statute conferred no jurisdiction over the board.

[47] See *supra*, p. 205.

[48] This information was supplied by Rev. Carl Fuqua, the executive director of the Chicago Chapter of the NAACP.

THE APPRENTICE PROGRAM

The Washburne Trade School occupies a special place in the Chicago school system, and the manner of its administration poses some interesting questions concerning the duty of the school administration toward its constituents. According to a publication of the board of education this school had an enrollment in 1960 of about 2,700.[49] These students were in training programs of varying lengths for 24 skilled trades such as plumbing, sheet metal, cake decorating, and cosmetology. Washburne differs from the Chicago vocational high schools in several ways. First, most of the training programs at Washburne school require the pupil to obtain a high school diploma before admission. Washburne does not offer a general course of education in the traditional academic subjects required in the other vocational schools which are essentially "undergraduate" institutions.[50]

Secondly, admission to Washburne is accomplished in one of three ways, depending upon the course desired. Admission is granted to persons who (1) are already employed in the general area for which training is sought and are recommended by an employer, or (2) have been accepted an an apprentice in the Washburne program by the appropriate labor union, or (3) have joint approval of a union and employer. To put this more briefly, admission to the Washburne programs depends upon union or employer approval or both. The school does not, in the ordinary case, pass upon the admissibility of its own applicants.

The *third arresting feature of the* Washburne school is that in *1960* its 2,700 apprentices included approximately 26 Negroes.[51]

The importance of gaining admission to Washburne for anyone interested in working in the trades for which training is given there is quite apparent. Unions control the trades, and this is the mode established by the unions for entering these trades. Failure to achieve admission to the school may thus be tantamount to exclusion from employment. The school's abnegation of the power to determine the identity of its own students permits the employers and unions to use the facilities of the school for preparing whichever applicants they see fit. The irony of the school administration's position is heightened by the fact that it operates similar programs in such schools as the Dunbar Vocational High School. The Dunbar graduates experience difficulty in achieving entry into the trades for which they are trained, because the unions and employers choose their apprentices almost exclusively from Washburne. The Dunbar student body is nearly all Negro. Whether the unions and employers discriminate on the basis of race in their choice of Washburne applicants and, if so, whether such discrimination is lawful for the union or employer, are issues outside the scope of this report.

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[49] This pamphlet was apparently addressed to the unions and employers who supply the apprentices. It states "... sufficient enrollment must be maintained to justify the Board of Education's expenditurse [sic] for space and personnel. The importance of examining all apprenticeship programs, in the light of the potential demands during the 1960–70 decade, should be emphasized. Your cooperation will do much in maintaining the nationally known school at its present effectiveness." The pamphlet also stated, "... It is imperative that each group examine the size of its potential force for replacement of those dropping out of the ranks due to retirement, deaths, or for other reasons."

[50] Most of the information about the Washburne school comes from interviews. The author is especially indebted to the president of the board of education and to board member Raymond Pasnick who is midwest director of public relations, United Steelworkers of America.

[51] "Wanted: More Negro Apprentices at Washburne School," a study initiated and prepared by the Negro American Labor Council in cooperation with the Chicago Committee on Racial Equality, June 1961.

It is arguable that the elimination of union and employer influence on admissions to the training programs would have little effect on freedom of entry into the apprentice programs and eventual employment. If, in fact, union status and employment are bestowed upon a discriminatory basis, such discrimination could be effective irrespective of any connection with Chicago schools. Nevertheless, the surrender of a public function to private organizations in this manner is difficult to justify. In a conversation with the superintendent he made no effort to defend the policy of admission at Washburne. He merely pointed out what he felt were analogous failings of the Federal Government, citing specifically the paucity of Nego workers hired for construction of Federal buildings in Washington. No individual interviewed offered any rationale defending the Washburne-Dunbar situation. The president of the board excoriated the policy and indicated, "We're going to have to do something."

WEBB v. THE BOARD OF EDUCATION[52]

In September 1961, the parents of a number of Negro children attending various public schools in Chicago filed suit against the board of education and the superintendent in the U.S. District Court for the Northern District of Illinois. The complaint, as amended, alleged deliberate racial segregation by the school authorities by gerrymandering, school location, refusal to utilize space in white schools, and the application of the neighborhood school policy. The complaint also alleged that plaintiffs attended double shift or overcrowded schools; that in some cases classes were as large as 60 students; that instruction was inferior; that on occasion several classes were held simultaneously in one room; and that space that was unfit and unsafe was being used for classroom purposes. These acts were challenged under the 14th amendment, and temporary and permanent injunctions were sought to prevent defendants from compelling plaintiffs and others in the same class to attend segregated schools.

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[52] Civ. No. 61C1569 D.C., N.D. Ill.

Charges were specified with respect to certain schools. One typical example involved the old Ryder and Fernwood schools and the new Kipling school opened in September 1961. These three schools have contiguous attendance zones, with Kipling roughly in the middle. The Ryder and Fernwood buildings are located in white neighborhoods, but it was alleged that, prior to the 1961–62 school year, the attendance zones of these two schools included also a substantial number of Negroes living in the middle of the area between the two schools.[53] All grades from kindergarten to eight were, in fact, integrated in both schools prior to 1961–62. The Kipling school, located midway between the other two, was opened in 1961–62 for grades k–6 (kindergarten through grade 6). Kipling's attendance district is practically all Negro and takes up the Negro neighborhoods formerly included in the Ryder and Fernwood zones. Thus, the only integrated grades said to remain in the latter schools were the seventh and eighth, and the Kipling school was almost entirely Negro (835 Negroes; 15 whites). The plaintiffs contended that the building of the Kipling school and the creation of its attendance zone constituted a deliberate plan to segregate pupils by race. It was alleged that thereafter the graduates of Kipling would be sent to the all-Negro Gillespie school rather than Fernwood and Ryder, thus making the latter schools all white within 2 years. This last allegation was denied in an affidavit of the superintendent,[54] who stated no change would be made in the handling of the seventh and eighth grades.

The superintendent's affidavit denied all allegations of gerrymandering and discrimination in the school system. He described at length the population and residential changes which had plagued the administration and which he blamed for the overcrowding in some schools. He denied the existence of empty classrooms, except 14 located in the far northwest corner of the city, though he indicated that these 14 were those remaining ". . . after consideration of proposed boundary adjustments." These adjustments, all in white areas, have already been discussed in connection with the vacant-classroom issue.[55] The superintendent, in general, reaffirmed the policies of the board and supported his position with great factual detail.

After numerous pretrial motions and an exchange of interrogatories the case was disposed of in August 1962, upon a motion by the defendant to dismiss. The court held that the plaintiffs had failed to exhaust the administrative remedy available to them under the Illinois School Code. Section 22.19, chapter 122, Illinois Revised Statutes, 1961, provides for the filing of complaints with the State superintendent of public instruction signed by 50 or more residents of a school district alleging exclusion or segregation of any pupil because of race or religion by or on behalf of the school board of such district. Similar provisions protect employees of school districts and applicants for employment from discrimination or even questioning concerning race or religion. Upon complaint, the State superintendent is required to conduct a hearing on the allegations and is armed with subpena power. Procedures for hearings are set out in detail. The superintendent is to inform the parties of his decision, and, "if he so determines," shall request the attorney general to take action for injunctive or other relief "to rectify the practice complained of."

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[53] From the affidavit of Paul B. Zuber filed Oct. 18, 1961, in support of a motion for preliminary injunction.

[54] Filed Dec. 15, 1961.

[55] See *supra*, p. 199.

A suit similar to the *Webb* case had been decided in the U.S. District Court for the Eastern District of Illinois late in 1961. In *McNeese* v. *Board of Education for Community School District Number 187*[56] the district court held the Illinois statute to constitute a remedy available to plaintiffs, the neglect of which barred judicial action. The *McNeese* decision was affirmed on July 5, 1962, by the U.S. Court of Appeals for the Seventh Circuit.[56a] The *Webb* case, in the eyes of the presiding judge, fell squarely within this principle.

There is irony in the result. The statute was passed by the legislature for the purpose of assisting Negro pupils to challenge administrative action. Its effect to date has been to frustrate at least one and possibly two efforts by Negro leaders directed to that very end.

The *Webb* case, however, brought some consolation to the plaintiffs. The presiding judge, Julius Hoffman, followed his decision with an encomium of the *Brown* decision, and an analysis of the evils of pupil segregation. He added:[57]

> Chicago cannot deny the existence of de facto segregation or excuse it on the pretext of a benign indifference. We can't say piously, as there was once a tendency to do, that we don't know what is the percentage of Negro pupils in a given school because we don't ask a child his race or make it a part of the school record . . . As has been suggested . . . [citing *Branche* v. *Hempstead Board*] . . . separation cannot be defended on the ground that it is the result of a high concentration of Negroes in the school district.

Judge Hoffman then expressed confidence that the superintendent, ". . . a great man and a great educator . . . will see to it that the Chicago schools will be fully integrated and equal." Plaintiffs have indicated they will appeal.

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[56] 199 F. Supp. 403 (E.D. Ill. 1961).

[56a] 305 F. 2d 783 (7th Cir. 1962).

[57] From a transcript of the record of Judge Hoffman's remarks supplied by the Urban League.

BURROUGHS v. THE BOARD OF EDUCATION [58]

This litigation involves in microcosm the kinds of legal problems that exist potentially in many areas of Chicago. It can best be understood by reference to a sketch (See map, 1, p. 213) of the area and schools involved.

The heavy line outlines the attendance area of the Burnside Elementary School in district 16 prior to the changes to be described. The school is old, its first building having been constructed in 1898 and additions completed in 1913 and 1929.[59] During the last generation its attendance area has, at first slowly and later rapidly, become more densely populated and heavily Negro. By 1960 the census tract at the east side of the Burnside area—roughly bounded by Cottage Grove Avenue, 87th Street, and the Illinois Central tracks—contained 147 white children 5 to 14 years of age and 29 nonwhite children of that age group. In that same year the census tract in which the Burnside building itself is located contained 240 white children and 492 nonwhites. Most of the rest of the attendance area and the areas immediately north and west were also heavily Negro. The area south of 95th Street is nonresidential for some distance. The area east of the Illinois Central tracks is almost exclusively white.

The pupil population of Burnside school itself has been growing rapidly and becoming preponderantly Negro. An examination of graduating class pictures during the last 12 years [60] suggests roughly the following mixture:

Class	Total number in picture	Negro	White
June 1950	49	11	38
June 1952	38	13	25
January 1954	40	14	26
June 1956	65	26	39
June 1958	63	37	26
June 1959	47	27	20
January 1960	47	34	13
June 1960	62	48	14
January 1961	91	80	11
June 1961	105	93	12
January 1962	65	63	2

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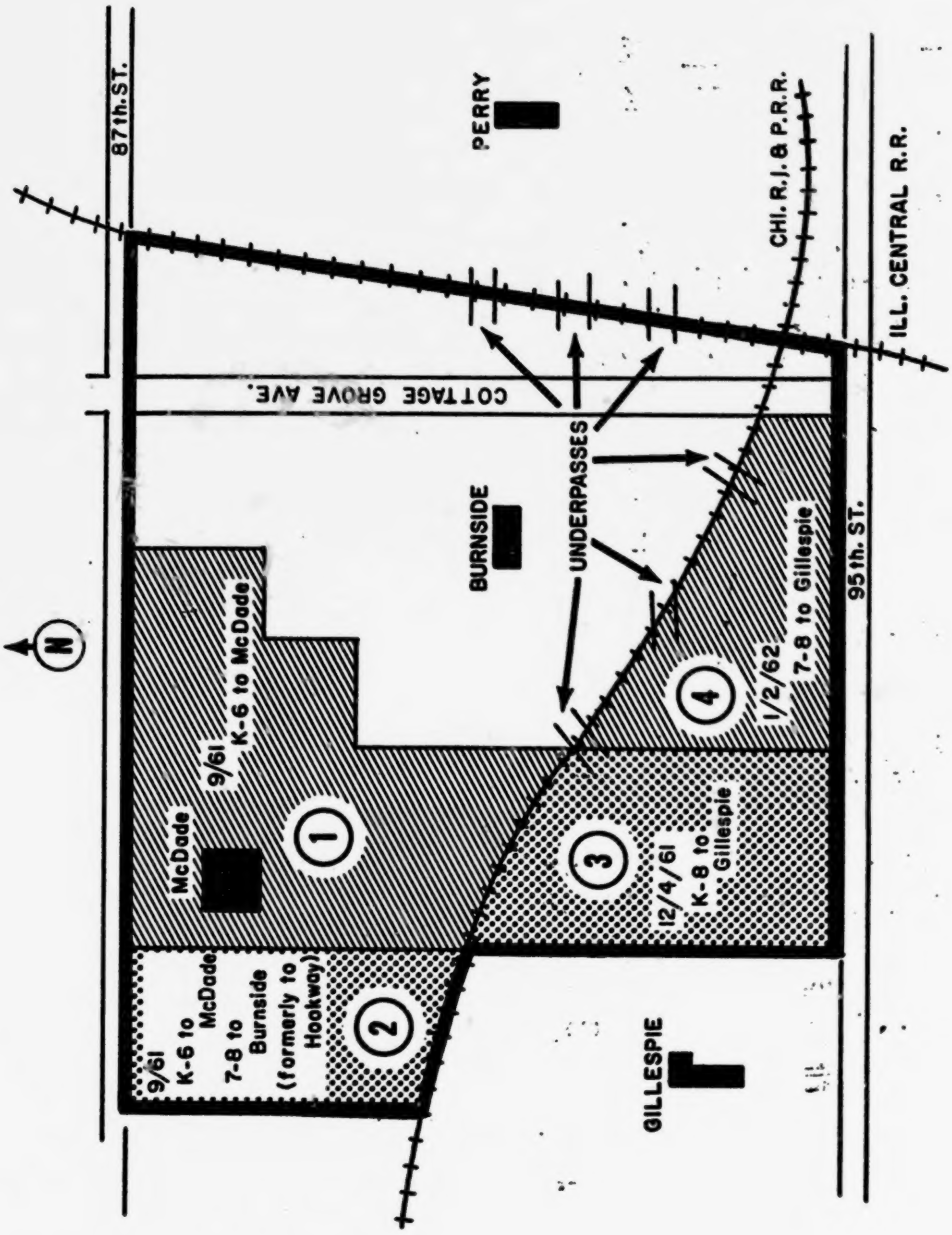
[58] Civ. No. 62C206, D.C.N.D. Ill., filed Jan. 19, 1962.

[59] Information in this paragraph comes principally from the affidavit of Dr. Eileen Stack, assistant superintendent of the board of education, filed of record Jan. 26, 1962.

[60] The pictures were appended to the affidavit of the Burnside principal, Dominic Pandolfi.

MAP 1


N
87th. ST.
PERRY
CHI. R.I. & P.R.R.
ILL. CENTRAL R.R.
COTTAGE GROVE AVE.
BURNSIDE
UNDERPASSES
95th. ST.
McDade
①
9/61 K-6 to McDade
②
9/61 K-6 to McDade 7-8 to Burnside (formerly to Hookway)
③
12/4/61 K-8 to Gillespie
④
1/2/62 7-8 to Gillespie
GILLESPIE

In 1958 the enrollment of the Burnside school totaled 1,338. In 1959 it rose to 1,582, and in 1960 to 1,773. Because of the overcrowding it was determined in 1959 to erect a new school—what is now the McDade school—in the northwest portion of the Burnside attendance area. McDade now enrolls pupils from k–6 in the shaded areas marked "1" and "2." Its capacity is rated at 250 pupils.[61] A number of Burnside parents argued at the time of its planning that this would be insufficient, but the administration did not agree.[62]

On the opening day of school in 1961, the new McDade school was filled, but the Burnside school was still overcrowded with a total of 1,746 pupils. The population increase had been underestimated. Also Burnside received 23 new seventh and eighth grade students from the shaded area marked "2" west of McDade. This area previously had sent its seventh and eighth grade pupils to the Hookway school.[63]

Meanwhile, as part of the general attack upon overcrowding, an addition was being completed at the Gillespie school southwest of Burnside. Gillespie is an all-Negro school. The addition was completed late in the fall of 1961, and, on December 4, 250 Burnside pupils from k–8 were moved to the Gillespie addition. These were the Burnside students who lived in the shaded area marked "3." On January 2, 1962, seventh and eighth grade Burnside pupils from the shaded area marked "4" were also transferred to Gillespie. This involved 34 children. These moves to Gillespie reduced the Burnside enrollment to approximately 1,515.[64]

East of the Illinois Central tracks is the Perry school which is about 95 percent white in its enrollment and which plays an important role in the litigation. Perry has an enrollment slightly in excess of 500. About 60 or 70 of these children are deaf or blind. Perry has had classes for the deaf since 1922 and for the blind since 1948. It is one of four centers for the blind and eight for the deaf students in the Chicago system. Perry has approximately 23 classrooms.[65] Its pupil-classroom ratio thus is low, but is difficult to evaluate in equal protection terms because of the special needs of the blind and deaf pupils.

Negro resentment at overcrowding in Burnside crystallized around the decision to move Burnside pupils to Gillespie. The Negro parents and leaders argued that the allegedly underutilized and all-white Perry school should have its attendance boundary moved west to Cottage Grove Avenue. This would take the population pressure off

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[61] Affidavit of Dr. Stack, *supra*, note 59.

[62] Affidavit of Alma P. Coggs in support of plaintiffs' applications for a temporary restraining order.

[63] Affidavit of Dr. Stack, *supra*, note 59.

[64] *Ibid.*

[65] *Ibid.*

Burnside and, at the same time, tend to integrate and fully utilize the Perry school.

On January 2, 1962, the day that the transfer of 34 seventh and eighth graders was to take place from Burnside to Gillespie, demonstrators appeared at Burnside school protesting the move. For the next 2 weeks the demonstrators entered the school each weekday morning and remained standing or sitting in various areas of the building.[66] On the 16th of January, 16 demonstrators inside the building were arrested on charges of trespass and disorderly conduct.[67] The following day the charges were dismissed in Chicago Women's Court by Judge Joseph J. Butler who also expressed his approval of the defendants' actions as a "good mode of expressing opinions." [68] That same day 10 more arrests were made at the school. Charges against these 10 were dismissed by Judge Butler on the 25th.[69] Apparently the sit-ins were not thereafter resumed at Burnside, although similar demonstrations took place at other schools.

On January 19 the parents of a number of Burnside Negro pupils filed the *Burroughs* suit in the Federal district court charging deliberate racial segregation, and assignment to inferior schools. The request was for an injunction against maintaining Perry as a white school and against forcing plaintiffs to attend Gillespie or Burnside and for damages. Affidavits and counter-affidavits were filed upon a variety of questions including the relative distances from plaintiffs' homes to Gillespie and Perry, the lunchroom facilities at the two schools, the degree of utilization of facilities, the race and qualification of teachers, and the boundary changes in attendance areas made in the Chicago system, with special reference to the Burnside school. On January 31, Judge Richard Austin denied plaintiff's application for a temporary restraining order. Plaintiffs did not appeal, nor have they yet amended the complaint. What further action will be taken in the case, if any, is unclear.

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[66] New York Times, Jan. 14, 1962.
[67] Chicago Tribune, Jan. 17, 1962.
[68] Chicago Sun-Times, Jan. 18, 1962.
[69] Chicago Tribune, Jan. 26, 1962.

A Review of State Action Affecting Relative Quality of Schools

The third part of this report on Chicago schools will depart from the previous emphasis given racial discrimination resulting from segregation of pupils and teachers. Stress will now be put upon those aspects of Chicago schools other than racial concentration which may affect the quality of education. Information will be provided by which the reader may gauge to some extent the quality variation in schools without regard to racial factors. Wherever possible, however, the racial character of the schools described also will be indicated which may be helpful in determining whether or not existing inequalities, if any, are related to race.

APPROPRIATIONS AND EXPENDITURES PER PUPIL IN SELECTED SCHOOLS

The budget of the board of education reveals interesting disparities in the appropriations per pupil in certain schools. For example, from the 1961 budget and the 1961–62 "Directory, Illinois Schools," we can compare the per student appropriations for the Carnegie and Twain schools. The total appropriation per student in the Carnegie school is $241; in the Twain school it is $281. The Carnegie appropriation represents approximately $197 for teaching salaries and $44 for other expenses. The comparable figures for the Twain school are $209 for teaching and $72 for other expenses. These schools were chosen at random except for the fact that the Carnegie school is a Negro school and Twain is a white school.

Before indicating the statistics for a large number of schools a word of caution is indicated. A disparity between white and Negro schools should not be taken in itself as a clear indication of discrimination. If, as critics of the administration assert, the quality and experience of teachers in the Negro schools is low, a relatively low expenditure for teachers' salaries may be anticipated. If, as these critics suggest, these schools are overcrowded or on double shift, the appropriation for other costs—administrative, janitorial, heat, etc.—will be spread over more children and will be less on a per pupil basis. Thus, the differentials, if any, which may appear between appropriations for schools constitute only one manifestation of differences in quality, the causes of which may lie elsewhere than in the sheer size of appropriations. At the same time, if appropriations for teachers' salaries are lower in Negro schools, it would appear that the administration has accepted as inevitable the staffing of these schools with less qualified and experienced teachers.

It should also be noted that appropriations for special teachers, of which the Negro schools apparently get a large share, are not included in the budgets for the individual schools.

Another caveat: The distinctions which appear to exist from an examination of appropriations may in fact be lesser or greater depending upon actual expenditures. The superintendent has released statistics only on appropriations. Expenditures, as he himself agreed, may be either more or less than appropriations.[70] Critics argue that expenditures in the crowded Negro and integrated schools are in fact likely to be less. This is said to be the result of the school's inability to attract regular teachers and its consequent dependence upon lower-paid substitutes. On the other hand, since the budget estimates are made on the basis of the school's status as of the previous October, this factor may already be taken into account.

With these reservations in mind, the general conclusions appearing from appendix G will be noted. Total per pupil appropriations in 9 Negro schools average $269; in 9 integrated schools, $320; in 10 white schools, $342. Breaking these totals down, the average per pupil appropriation for teachers' salaries is as follows: Negro schools, $220; integrated schools, $231; white schools, $256. Other operating appropriations average as follows: Negro schools, $49; integrated schools, $90; white schools, $86. Appropriations for nonteaching expenses in integrated schools present the only exceptions to a uniform pattern of descending appropriations as we move from white to Negro schools. The sampling is, of course, very small and possibly atypical. In general, however, it confirms a broader study of the same kind undertaken by the Urban League.[71]

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[70] Interview, June 15, 1962.

[71] The Urban League study was presented in connection with hearings of the board of education on Dec. 19, 1961. The study involved approximately 375 schools. The general findings were stated graphically as follows:

	Negro schools	*Integrated schools*	*White schools*
Teachers' salaries	$217.70	$227.80	$256.50
Other operating items	49.00	57.40	73.70

The data were compiled from the 1961 budget and the 1960 and 1961 school enrollments.

SIZE OF SCHOOLS

The superintendent has indicated his belief that the size of schools is relevant to the quality of education. On June 13, 1962, he reported to the board:

> Size of school and class size are constant concerns. The maximum size of a school for grades kindergarten through 6 is generally accepted as 1,200, as is that for the upper grade center. This is large enough to permit flexible organization and small enough to help the child retain his sense of identity.

The 1961–62 edition of "Directory, Illinois Schools," indicates that 41 of Chicago's 400 elementary schools have enrollments exceeding 1,600. Of the 19 schools with enrollments from 1,600–2,000, 2 are white, and 2 or 3 others are integrated. The rest are Negro. Of the 22 schools with enrollments over 2,000, all appear to be Negro.[72]

SIZE OF CLASSES AND THE STUDENT-TEACHER RATIO

The student-teacher ratio is in theory fairly uniform throughout Chicago schools. It is approximately 32 or 33 to 1 for most schools if calculated on the basis of the budgeted number of teachers and the actual enrollment stated in the Directory of Illinois Schools for 1961–62. The figure is not particularly useful. How many of the budgeted teachers are in fact hired is difficult to determine. How many of the teachers hired are in fact in the classroom is unclear. If the school is overcrowded, the available space will dictate the number of teachers actually engaged in instruction unless the school goes on double shift. An examination of the reports of principals of the various schools to the State superintendent, prepared on standard reporting forms is equally unhelpful. The form itself is ambiguous in important respects, and the reporting principals complete the form in different ways which are seldom explained. In sum, the teacher-student ratio, though often quoted, is of little utility in comparing schools.

The number of students per unit of classroom instruction would seem clearly relevant. This question is not basically different from that discussed in connection with the debate over empty and underutilized classrooms. Here, however, it would be well to re-examine the issue in terms of individual schools and classes in so far as this is possible. Unfortunately, classroom-student ratios ordinarily are not reported for individual schools by the superintendent, and must be approached indirectly.

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[72] These schools and districts are Beale (21), Beidler (8), Bryant (10), Doolittle (11), Douglas (11), Forrestville (13), Grant (9), Gregory (8), Herzl (10), Hess (19), Howland (19), Jenner (7), Lawson (19), Lewis-Champlin (21), Manley (8), Marshall (8), Parker (20), Penn (10), Shakespeare (13), Wadsworth (14), Wentworth (20), and Williams (11).

The Chicago Teachers Union has done a study of this question, obtaining individual classroom counts made by union members for 140 schools and involving about one-third of the pupils in Chicago schools.[73] The only difficulty with the study is the union's unwillingness to release the names of the schools involved, because of a pledge of secrecy made to its informants. Nevertheless, the study is revealing simply for its stark display of the immense variations in class size within the system. For the 4,786 classes reported, the average class size is 35.7 and the median 37. The study showed 229 classes composed of 25 or fewer pupils, the range being as low as 15, and 672 classes (about 14 percent of the total) with 43 or more students, the range being as high as 57.

Counting noses in individual classrooms in this fashion is the only completely dependable way of establishing class sizes. It avoids the interpretive difficulties inherent in any definition of classrooms which includes rooms of differing design, capacity and numbers of desks, some used as libraries, lunchrooms, or adjustment rooms. The administration receives from each school at the beginning of each semester a report of the size of each class. It does not, however, release this information. In denying access to the reports one official insisted that such information from February 1962 was too old to be significant because of the rapid changes taking place.[74] Because of the unavailability of official data the report of the teachers union study will be supplemented with indirect and less reliable evidence of class sizes in specific schools, stated in terms of average classroom-student ratios. If accurate, this evidence suggests that the larger classes reported in the union's study are probably concentrated in the Negro schools.

For this purpose the reports submitted by each school principal to the Illinois Superintendent of Public Instruction are useful. The form records the number of "general classrooms" for each school. These are distinguished from library, gymnasium, auditorium, lunch, and other rooms. It also gives student population, and, on the assumption that all general classrooms are in use at all times during the day, a calculation of average class size may be made. The figures presented in the first chart below are taken from reports of the elementary principals for certain schools for the year 1959–60. Six of the schools included in the other statistical studies already set forth above do not appear in the chart.[75] For five of these six schools the information was not available. For one—the Perry school—the statistics were considered misleading, because of the large number of handi-

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[73] The report is dated June 4, 1962. It was made available by Mr. John Fewkes, president of the union to whom the author expresses his thanks.

[74] Telephone interview, Aug. 25, 1962.

[75] Kellogg, Perry, Burns, Jefferson, Shoesmith, Carnegie.

Number of Pupils per Classroom 1959–60

School	District	Number of classrooms	Total school enrollment	Average number of pupils per room
WHITE				
Armstrong	2	22	840	38.0
Bryn Mawr	17	31	1,014	32.7
Coonley	3	18	642	35.7
Edison	1	12	548	[1] 45.7
Harte	17	14	424	30.3
Locke	18	23	787	34.2
O'Keefe	17	27	794	29.4
Stevenson	15	32	1,373	42.9
Twain	10	20	848	42.4
Average per class for 9 white schools				36.5
INTEGRATED				
Avalon Park	16	16	657	41.0
Cornell	16	25	1,062	42.5
Fernwood	16	17	771	45.4
Franklin	7	40	1,165	29.1
Schley	6	21	838	39.9
Skinner	9	28	1,078	[2] 38.5
Average for integrated schools:				
(1) all 6 integrated schools				37.9
(2) excluding school on double shift				37.8
NEGRO				
Burnside	16	33	1,624	49.2
Doolittle	11	61	3,192	[2] 52.3
Forestville (South)	13	66	2,789	42.3
Gregory	8	38	2,952	[2] 77.7
Lewis-Champlin	21	25	2,347	[2][3] 93.9
Parkside	14	23	806	35
Pope	19	25	1,854	[2] 74.2
Williams	11	48	2,159	45
Average for Negro schools:				
(1) all 8 Negro schools				55.6
(2) excluding double shifts schools				43.4

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[1] There appears to be an obvious error in the omission of the rooms in the Edison branch. Nevertheless, the figure shown by the principal is used to remain on the safe side. Note that the superintendent lists 22 rooms for this school. Page 221, *infra.*

[2] Partly on double shift—figure shown is therefore inflated to an indeterminate degree.

[3] There appears to be an error. The number of classrooms in the branch may be omitted although the branch enrollment is included.

capped students in small classes. Unfortunately, it is not known whether nonclassroom facilities are pressed into service as classrooms in these schools. But if this is the case, it may well mean a diminution of other services, such as in the library, and thus the figures remain relevant to the issue of quality.

In connection with the board meeting of August 22, 1962, the superintendent released a list of all elementary schools indicating the total number of "available classrooms" in each school. The list appears to have been prepared on substantially the same basis as that used by the school principals in their annual reports. That is, auditoriums, gymnasiums, libraries, and adjustment rooms were said to be excluded. Kindergartens and special education rooms were included. As will appear from the chart below, the superintendent's classroom figures differ markedly from those given for 1959–60 by the principals. Part of this difference is easily explained. Eight of the schools, as indicated on the chart, have branches which are counted by the superintendent, but were not counted in the principals' reports. In still another case—the Avalon Park school—several rooms used by the Caldwell school in 1959–60 again became available for use by Avalon Park. In the Forestville school several rooms in a Chicago Housing Authority building will be pressed into service in 1962–63. In the other 19 schools the disparity must spring from some difference in the counting system adopted by the superintendent—perhaps the inclusion of the "special education" rooms. It is not clear whether these rooms—usually smaller than a classroom—were, or should have been, included by the principals. In any event, the superintendent's figure is consistently higher than that of the principal. One effect of this is to reduce the

Number of Pupils Per Classroom 1961–1962

School	District	Number of classrooms	Total school enrollment	Average number of pupils per room
WHITE				
Armstrong (and branch)	2	34	1, 155	34. 0
Bryn Mawr	17	33	957	29. 0
Coonley	3	23	676	29. 4
Edison (and branch)	1	22	604	27. 5
Harte	14	16	495	30. 9
Kellogg (and branch)	18	22	533	24. 2
Locke	4	27	733	27. 1
O'Keefe	14	28	721	25. 75
Stevenson	15	32	1, 393	43. 5
Twain (and branch)	10	26	873	33. 6
Average per class for 10 white schools				30. 95

Number of Pupils Per Classroom 1961–1962—Continued

School	District	Number of classrooms	Total school enrollment	Average number of pupils per room
INTEGRATED				
Avalon Park	16	23	765	33. 3
Burns	10	31	1, 086	35. 0
Cornell	16	26	1, 306	[1] 50. 2
Fernwood (and branch)	16	27	807	29. 9
Franklin	7	41	1, 109	27. 0
Jefferson	9	28	1, 054	37. 6
Schley	6	23	851	37. 1
Shoesmith	14	15	634	42. 3
Skinner (and branch)	9	35	1, 092	31. 2
Average for 9 integrated schools				34. 95
Average excluding double shift school				33. 2
NEGRO				
Burnside	16	38	1, 726	45. 4
Carnegie	14	27	1, 316	[2] 48. 7
Doolittle	11	[3] 61	2, 325	38. 1
Forestville (South)	13	71	2, 500	35. 2
Gregory	8	43	3, 875	[2] 90. 1
Lewis-Champlin (and branches)	21	56	2, 291	[2][4] 40. 9
Parkside	14	26	1, 009	38. 8
Pope (and branch)	19	33	1, 955	[2] 59. 2
Williams	11	54	2, 136	39. 5
Average class size for 9 Negro-schools				46. 8
Average excluding 4 double shift schools				38. 8

[1] 453 pupils on double shift.

[2] Double shift:
Carnegie, 332 pupils.
Gregory, 3,218 pupils.
Lewis-Champlin, 1,102 pupils.
Pope, 1,107 pupils.

[3] Principal's figure, 1959–60 report.

[4] If the classroom figure suggested by the superintendent is correct, it is difficult to understand why this school was on double shift, for under present policy full-day classes for all students are ordinarily continued until the classroom pupil ratio reaches 44.

apparent classroom-student ratio. The chart above is prepared on the basis of the superintendent's classroom figure and the enrollment in 1961–62 according to the State directory for that year. It should be noted that for the Doolittle school the superintendent's figure has not been used, since his figure (99) included an addition which will be opened for the first time in the fall of 1962.

At the August 22 meeting the superintendent predicted that 3 districts would have an average enrollment of over 40 pupils per classroom in September 1962. District 20 will average 42.8; district 13, 42.7; district 8, 41.6. District 10, he predicted, would average 39.8. Each of these figures is meaningful only in terms of individual schools. District 10, for example, will be well over 40 per class in the crowded Negro schools at the north end of the district. District 10, it was said, has "no immediate prospect of reduction."

The superintendent predicted that 4 districts would average under 30 per classroom. They are as follows: District 12, 26.2; district 4, 26.7; district 1, 29.6; and district 11, 29.8. This last figure is interesting because it involves a district almost entirely Negro.

THE PATTERN OF DOUBLE SHIFT IN CHICAGO SCHOOLS

In 1930, 50 Chicago schools were on double shift because of overcrowding. In Illinois a double shift ordinarily means about 4 hours of instruction—an amount sufficient to comply with State law.[76] Of the 50 schools on double shift in 1930, very few were in the Negro districts. By 1940, however, the situation had changed radically. All 14 of the double shift schools were in the South Side Negro district. By 1948, the wartime drop in birth rates brought the number of double shifts down to 11, but over half of these were in Negro areas.[77]

In the 1950's the number of schools on double shift began gradually to grow. By 1956 it had risen to 30; by 1957 to 48. By 1960, the number of schools had dropped to 38, but the total number of pupils on double shift rose to a new high for the period of 33,452.[78] This is explained by the renewed concentration of the double shift in the Negro areas where schools are generally much larger in population. For a generation the Negro children have made up over 50 percent of the school population on double shift. By 1961, this concentration of the split shift in the Negro areas arose to nearly 100 percent. This is evident from an examination of the double shift statistics supplied by the superintendent for the years 1950–61 and of the maps indicating the locations of schools and Negro neighborhoods. These are included in appendices A, C, and H.

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[76] Under the normal school schedules the time spent in school is as follows:
Kindergarten through sixth grade, 4 hours 34 minutes plus recess.
Seventh and eighth grades, 4 hours 47 minutes.
On double shift the time for all children is 3 hours 55 minutes.
Affidavit of superintendent, *Webb* v. *Board of Education,* Civ. No. 61C1569, D.C., N.D. Ill.

[77] Report of the investigating committee appointed by Superintendent Hunt, *supra,* note 7, at p. 3.

[78] Information supplied by the office of the superintendent of schools. See app. H.

By the close of school in June 1962, the school building program, the introduction of mobile units, and February graduations had reduced the double shift to approximately 4,300 pupils in 6 schools. To what extent the anticipated increased enrollment of 25,000 to 30,000 pupils will require double shifts in September 1962 is not yet certain. The administration appears confident that it will be able to eliminate double shifts altogether in the near future.

It is only fair to note the opinion frequently expressed by members of the school administration that the double shift is a questionable target for criticism. The elimination of lunch hour and outdoor recess periods and the differing starting and closing hours for double shift bring the total period of actual instruction within 40 to 50 minutes of the normal total.[79] This means, also, that the teacher is available either morning or afternoon for special tasks for which there is otherwise no time. The teacher has more free time to plan and reflect. Further, the financial saving from greater efficiency would make possible more ambitious special programs needed in the schools with a high pupil turnover. One high official expressed regret over the policy of the administration to make the elimination of the double shift one of its primary targets.

However persuasive these arguments may be, it is also clear that the existence of the double shift creates special social problems in the crowded areas of the city, largely because the mothers of the children frequently are working. Thus, the pupil spends half his day free of the guidance and the restraints both of school and home.

QUALITY OF INSTRUCTION

It has already been noted that the Negro schools in Chicago are staffed by teachers of less experience. Of course this is a generalization; many of the teachers in the Negro schools have spent many years in the classroom. These experienced teachers are primarily Negroes, although a few dedicated white teachers have stayed in these schools. Again, experience is only one aspect of quality, and the hope to establish on this basis any clear accounting of the relative excellence of teaching staffs is vain.

The proportion of uncertificated teachers on a school's staff seems to be a more reliable measure of differences in quality. This criterion is suggested by the school administration itself, and by this test the Negro schools are inferior. The figures appearing in appendix I show that for selected white schools an average of 12 percent of the teachers are not permanently certificated. Integrated schools have a corresponding average of 23 percent uncertificated. For Negro schools the average is 27 percent.

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[79] See *supra*, note 76.

PROVISION OF EDUCATIONAL EXTRAS TO NEGRO AND WHITE PUPILS

One measure of relative quality may lie in the degree to which specialized training for unusual needs and talents is provided by the system in its various schools. It is an occasional complaint of Negro leaders that these extra advantages are provided more frequently in the white schools where they are less needed. No evidence of such discrimination appears to exist, at least with respect to the schools to which special attention has been given in this report.

For example, in the categories of free assistant principal, master teacher, special-service teacher, physical education teacher, library teacher, special-education teacher, part-time psychologist and nurse, and adjustment teachers, the schools in the Negro areas consistently show a larger number of such teachers.[80] Of course, the Negro schools are ordinarily much larger and have special problems. Thus, a difference is to be expected. Nevertheless, in this area no discrimination against the Negro is apparent.

In addition to the provision of larger numbers of teachers in special categories the school administration has made efforts to assist pupils in the Negro schools by a number of special programs. These include remedial classes of various kinds, counseling and placement programs, field trips, experimental summer schools, and a special program prior to the opening of school to insure the attendance on opening day of the children in areas of high mobility. None of these programs can be evaluated here, but, taken at face value, they manifest considerable concern by the administration for the peculiar problems of the Negro pupils.

LIBRARY RESOURCES

Appendix J of this report contains a comparison of the library resources of selected schools. Eleven white schools average 4.95 volumes per pupil. Nine integrated schools average 3.5 volumes per pupil. Nine Negro schools average 2.5 volumes per pupil. Part of the disparity springs from the rapid growth of the Negro schools.

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[80] This judgment is based upon statistics supplied by the board of education. The Urban League report of Feb. 5, 1962, reaches opposite conclusions

Part results from the policy of allotting lump sums to each school on a per pupil basis for library, textbooks, and workbooks. Where pupils cannot afford workbooks, and where loss of textbooks is high, the library suffers. The same general condition existed in the Negro schools in the year 1959–60, when the average number of volumes per pupil was 2.14.[81] The gain from 1959–60 to 1961–62 in these Negro schools approximates 0.36 volume per pupil. In the same period the average for the white schools analyzed rose from 4.49 to 4.8, a gain per pupil substantially equal to that in the Negro schools.

The administration insists that special efforts are being made to build up libraries in the schools having a high pupil turnover. Information from the administration indicates that 37 such schools received supplemental library funds in September 1961. It is interesting, then, to compare the volumes per pupil of the Cornell and Gregory schools, which were among the 37, and for which comparative figures are available for 1959–60 and for June 1962.[82] In 1959–60 the Cornell school had 2.66 volumes per pupil in its library. In June 1962 this figure had dropped to 2.20. In the interim the enrollment of the school had risen by 244 and the library had increased by 60 volumes. In 1959–60 the Gregory school had in its library 1.52 volumes per pupil. In June 1962 this had dropped to 1.39. In the interim the enrollment had risen by 923. The addition of 938 books in this period failed even to maintain the prior ratio.

QUALITY OF PRODUCT: THE PERFORMANCE OF THE GRADUATE

The superintendent declined to make the mental and achievement scores of the pupils in the Chicago system available to the reporter. The performance of Chicago schoolchildren on such tests is a closely guarded secret. Thus, it is extremely difficult to determine the relative performance of pupils in Negro, white, and integrated schools.

Some indirect evidence was made available by the dean of a Chicago junior college. The college is located in an area of Chicago rapidly becoming Negro. Its student body, once primarily white, is now about 50-percent Negro. The college has always had a number of students from the families of Negro professional men. Now it has large numbers of Negro students from laboring families. Most of the latter are unable to find employment, which may explain why they attend college. Of the total entering class of 1,800 each year, about 600 students are now assigned to what is called the "basic program." The dean describes it as teaching these pupils to read, write, organize work, and do simple arithmetic. In essence, it is a remedial course for pupils who, in the school's judgment, are incapable of doing passing work in the regular program. This basic program is a noncredit 1-year course. Through it the school is currently salvaging about 10 percent of these remedial cases for further work.

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[81] These calculations are based upon figures contained in the principals' reports for 1959–60.

[82] The figures are taken from the reports of the principals of Cornell and Gregory to the Illinois Superintendent of Public Instruction for the year 1959–60.

The 600 students in the basic program are, almost without exception, Negro graduates of Negro high schools and elementary schools. The median reading score in the group is at the 8.4 grade level and ranges from grade 4.0 to 10.5. Forty percent were in the top half of their high school class, and over 13 percent were in the top quarter.

Eighty percent of these 600 students are from Chicago high schools. The other 20 percent are mainly from the South—principally Mississippi. The 20 percent from outside Chicago read at about the same level as the Chicago Negro high school graduates in the program. There is no discernible difference in their general preparation, or lack of it, for college work.

The dean was unable to state the degree to which blame for the low scholastic achievement should be assigned to family background, economic and social deprivation, or the preparatory school instruction.

Favorable Aspects of Chicago School Policy

The Chicago school administration has been the subject of two recent reports by inspecting organizations. One was complimentary on the performance of the administration in some areas dealt with in this report. A committee from the office of the Illinois Superintendent of Public Instruction visited four Chicago school districts, including two of the densely populated Negro areas. It found schools in these areas "... generally superior to those observed in similar socio-economic areas outside the city."[83] What areas outside the city were similar to Chicago's South and West Sides the committee did not indicate.

If there were doubt about the objectivity of this committee, however, the State Advisory Committee to the U.S. Commission on Civil Rights would seem to be above suspicion. According to this group, "It would seem . . . that there is not a deliberate policy of segregation [in Chicago schools]. . . ."[84] The Committee, however, noted the existence of de facto segregation, the inferiority of the Negro schools, and the social problems created by the prevalence of the double shift in Negro areas. It suggested that "... some redistricting would seem to be possible, and construction of new schools in appropriate areas ought to lead to an elimination or minimizing of the double shift problem." What this last suggestion means is not clear, since the effort of the administration has been to locate new schools in close proximity to the overcrowded schools. If the approach to eliminating double shift is to be through building new schools, it is hard to find fault with existing policy. The fault, if any, lies in the refusal to transport children to uncrowded schools in other areas. Of this, the committee said, "Proposals to transport students from one school district to another in order to achieve greater integration have not yet secured any measure of popular support." It should be noted that the report was completed before the furor over this question arose in the fall of 1961.

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[83] Board of education press release, Feb. 26, 1962.

[84] Report to the Commission on Civil Rights from the State Advisory Committee, 1961.

The board itself recently has taken an important step toward achieving an understanding of Chicago's special problems. It plans to support an independent survey of Chicago schools to be conducted over a period of 2 or 3 years. The study will be directed by a Committee of three distinguished educators—Herman B. Wells, former president of the University of Indiana, Eugene B. Youngert, former superintendent of Oak Park, Ill., high schools, who is currently conducting a study of schools in Miami, Fla., and Francis B. Keppel, dean of the Harvard Graduate School of Education. The scope of the study is not clear, but will undoubtedly comprise in part the questions dealt with in this report. Such a study has long been urged by the PTA, the Citizens' Schools Committee, and other civic groups. This evidence of good faith by the board could do much to improve its public image and to increase confidence in its impartiality.

Finally, it should be reemphasized that the administration has made every effort to provide new physical facilities in the impacted areas. Whatever motives are assumed, the fact is that the crowded Negro districts have received the major portion of building in recent years. This building has not yet caught up with overcrowding, but unless finances are curtailed,[85] it probably will. Apart from occasional complaints of poor design and shoddy workmanship on Negro schools, it seems clear that much of the best and newest construction will be concentrated in these areas. As noted above there is no evidence that the Negro schools receive less than their share of co-curricular services in the form of special teachers, truant officers, lunch programs, etc. Indeed, if there is a differential in these respects, the Negro schools appear to be preferred. Of course the need is undoubtedly the greatest in these schools, and it may be that the extra services provided are insufficient in the light of the conditions they are intended to meet.

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[85] There is some doubt as to the ability of the city to continue to undertake the necessary construction. On June 28, 1962, the Chicago Daily News reported, "Willis told the board that the birth rate is running ahead of the school system's ability to finance new buildings."

Concluding Observations

An evaluation of the facts reported seems appropriate. Some have already been commented upon. Some differences already indicated either speak for themselves or involve judgments the author is not equipped to make. The comments here made will be confined to a few of the larger questions of segregation and equality of educational opportunity. The conclusions suggested are tentative.

On selected premises a case could be made against the school administration. Timely measures might have desegregated substantial numbers of classrooms, if that were the primary object. The administration has made no effort to aid in integration; indeed, to the extent that it has recognized the existence of the problem, its policies probably have impeded rather than promoted integration. At the same time, it is legitimate to inquire what solution within practical reach would have improved the situation in any substantial way.

It is often argued that locating new schools in the heart of the Negro areas is a primary cause of segregation and should be stopped. School location can cause segregation, and perhaps has, in Chicago. If the new schools had been built along the 100-mile periphery of the Negro residential areas, considerable integration could have been achieved. But at what cost? Pupils would have had to travel several times the present distance to school in this case. The map showing racial residential patterns indicates that the distances involved are not inconsequential. (See app. A.) Furthermore, removal of the school from the neighborhood inevitably means the estrangement of the pupils and their parents from the total life of the school. At best it is difficult to get parents in the "deprived" areas interested in schools and education and the work of the PTA. To the extent that the neighborhood school concept is abandoned, these difficulties are compounded. Would the integration achieved be worth it? A decision that it would not be worth it cannot be wholly condemned. And, if in another 10 years the solid Negro neighborhoods advance concentrically another 2 miles, what then? The schools would again be clustered deep within Negro areas, but without the saving grace, as now, of being distributed rationally by population. This likely eventuality is the strongest argument against a policy of locating an abnormal number of new schools in fringe areas. Schools do not move. Fringes do.

It may be argued that the experience in such schools would create the kind of democratic empathy needed to effect the elimination of fringe areas. In other words, mutual understanding through integrated education will beget integrated housing. It is also arguable, however, that fringe area school construction would accelerate the exodus of whites, though this surely is the counsel of despair. The fact is that no one knows what the effects will be in advance. On balance, such a program might be worth a try, but to regard the existing neighborhood school policy in itself as evidence of prejudice seems a dubious conclusion.

The determination of attendance areas is a different matter. A fair amount of integration could have been maintained in Chicago by a careful and continuing redrafting of attendance zones for fringe area schools. A prime advantage of such an approach would be its flexibility. As the neighborhoods change, the attendance boundaries—within reasonable limits of distance—may also be changed. The administration did not utilize its power in this fashion, and in fact may consciously have avoided doing so. It should have been tried. Such a program should be inaugurated promptly. A change of general attitude within the board of education gives reason to hope that this may be done. It must be recognized that this device also is replete with snares. Aside from the administrative complications of keeping current on Negro and white residential patterns, a question at once arises of the degree of integration desired. A 50–50 ratio might seem democratic, but, historically, a 50–50 ratio means that the school will very shortly be all Negro. White children are entitled to withdraw and attend private schools. If the administration should decide that 30 percent is the maximum incidence of Negro attendance consistent with stability, the question of the constitutionality of a benign racial quota arises. Indeed, it is present under a 50–50 ratio. As a practical matter, however, plaintiffs might be hard to find, and the program might never be challenged. Technical problems of standing to sue might further impede attack.

The most serious criticism of the Chicago system relates to the inflexibility of transfer policy. This suggests no criticism of the neighborhood school, which seems sensible as an abstract proposition. The telling complaint is less the logic of the neighborhood system than the illogic of its application under existing conditions. Practically speaking, neighborhood schools do not exist in many of the crowded areas of Chicago, unless the requirements of that concept are satisfied by the mere existence of a building called a "school" which is physically located in something called a "neighborhood." If the school is not *adequate* to serve the needs of a neighborhood, it is playing with words to label it a neighborhood school. The most serious charge against the administration seems to be that in many areas it has not been operating a neighborhood school system, but has acted as if it were. Even where no adequate neighborhood schools existed, the rules of a neighborhood school system have been applied to prevent utilization of nonneighborhood facilities. The administration thus has failed to carry out a neighborhood school system or any other consistent system. From the point of view of racial discrimination or merely that of nonracial equal protection, the confinement of pupils in crowded classes when other facilities were underutilized cannot be justified. The effect of this action was not merely injury to the children retained in crowded schools. Perhaps the most serious injury was suffered by the school administration itself through the loss of public confidence in its impartiality. Refusal to face the issue of underutilized classrooms squarely created an impression of obstructionism that was resented in the Negro community and puzzled other observers. The appearance of the mobile units at the height of the empty classroom controversy further inflamed the indignation of the Negro parents. The mobile unit itself is a useful device in a large city with a fluid population. Its employment by an administration would ordinarily be a sign of ingenuity and resourcefulness. But the purchase of these expensive units could only be justified by need. Until available space had been inventoried the administration could not prove that the investment was necessary. Until the board's request for a full inventory of facilities is met, no one can say how many mobile units were in fact justified.

The failure of the board to explore alternative solutions to overcrowding fanned the flames of suspicion. At the time Chicago contracted to purchase mobile units, Cleveland, St. Louis,[86] and New York already had experience transporting substantial numbers of children from overcrowded to underutilized schools. Similar transportation in Chicago might have obviated the need for the purchase of many of the mobile units. Even as a temporary measure, it might have filled the gap until permanent facilities were completed and a true neighborhood system was created. This solution would not have left an oversupply of mobiles, if and when neighborhood school construction catches up with population.

The question of transportation of pupils continues to exist, for it is inextricably related to the adoption of any policy of pupil transfer. Should the city not only permit transfer but provide the transportation? The option of the second-grade pupil to walk two miles through the Chicago winter or spend two fares daily on the bus in order to enjoy his transfer right cannot be regarded as an unmitigated boon. Some might argue that the duty of the city to permit transfer from overcrowded classes implies as a corollary its duty to make the right of transfer a reality by providing transportation. This question has been raised and will be raised again in the future. The financial burden alone is significant to the economic class most likely to be affected.

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[86] See St. Louis report, *infra.*

What impact would a reasonable and impartial transfer policy have upon segregation? Probably not a great deal in statistical terms. It would not involve great numbers. Even if transfers were not limited to the nearest school having space, large numbers of Negro pupils would not transfer to schools in white areas,[87] and if the building program should catch up, transfers would probably be terminated. Furthermore, many Negroes will prefer not to transfer for reasons of convenience, inertia, or fear of competition with white pupils. Nevertheless, such a program would have an important consequence, for it would constitute a commitment of the Chicago school system to equality not merely in words but in action.

In preparing the groundwork for a new transfer policy and in drafting the rules for its administration, the board of education should recognize a basic danger inherent in any transfer program based simply upon overcrowding in one school and available space in another. If the Negro students are not carefully screened before transfer, would Chicago re-enact the tragedy of the New Rochelle schools described by my colleague Professor Kaplan? If the basic concern is to end racial prejudice as well as to provide equal opportunity, how much will it help to throw unselected Negro children into those white areas where experience suggests that many may perform at the bottom of the class? Chicago must have a transfer policy, but let it be a carefully planned program to transfer students whose background and personal characteristics are not poles apart from the children in the receiving schools. The introduction of Negro children into an all-white school in an all-white neighborhood is at best an artificial and awkward method of integration. It should not be rendered disastrous by leaving its administration to chance selection. A reckoning would have to be made with the constitutional implications of such a selective program, but the legal questions are not insurmountable. The most serious difficulties would arise in the development and application of standards for selection of the students to be transferred.

What then must be the assessment of the board's action on August 22 apparently favoring the new 40–30 transfer plan of the superintendent? The new plan seems as questionable as the 40–30 plan of December 1961.[88] Under the most liberal interpretation the only improvement is the abandonment of the requirement that the sending school be on double shift. If the superintendent is able, as he suggests, to reduce the class size in the crowded districts to nearly 40, the program will be a gesture and little more, for it will involve very few pupils. It will still require a minimum difference of one-third in class size before transfer will be permitted. Coupled with the refusal to transport the transferring pupils, the new plan is an invitation to litigation and continued interracial strife. It is a disappointing total product of a year's effort of the board, the administration, and a number of public service organizations.

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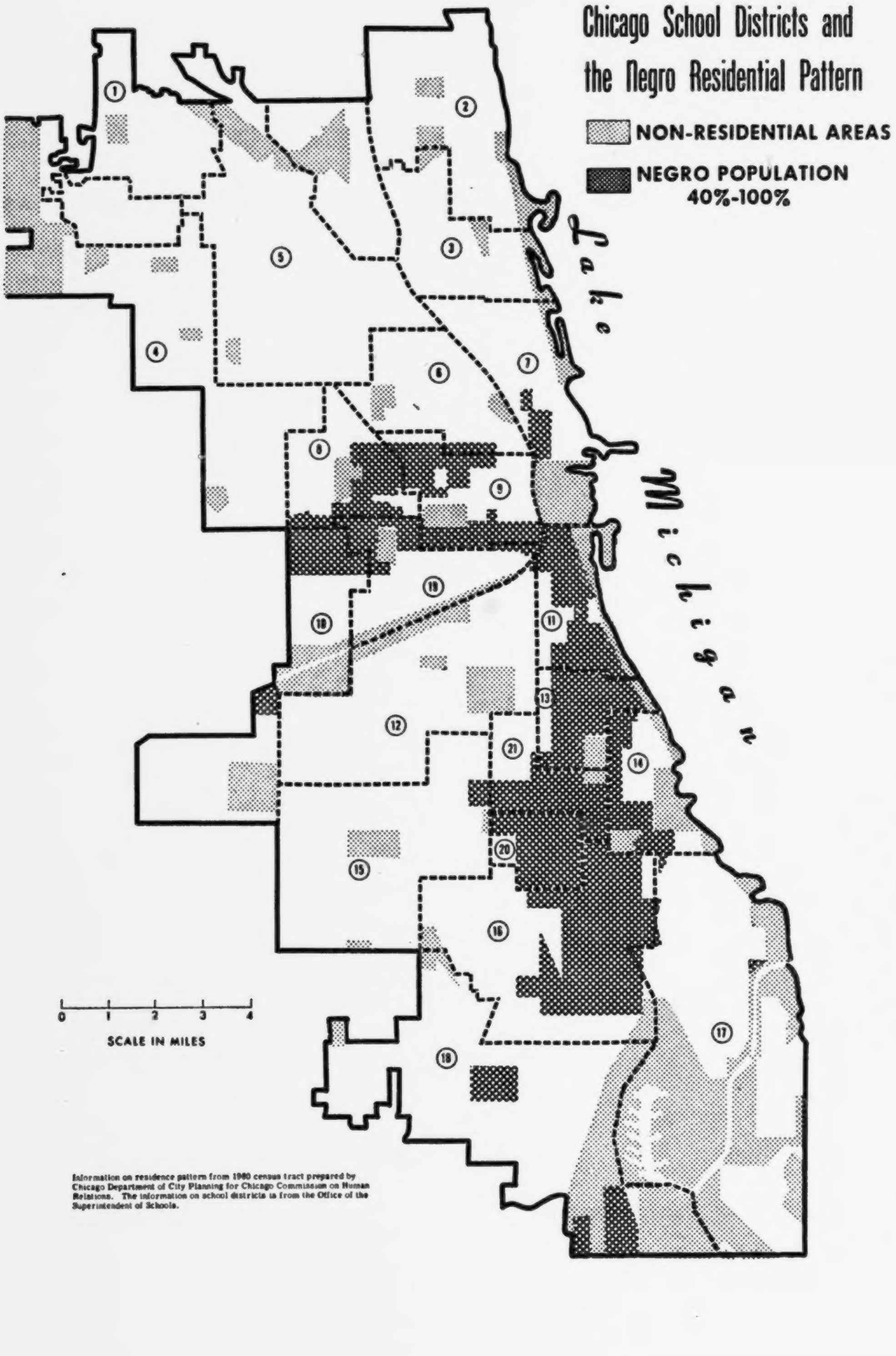
[87] For effect of open transfer policy on integration in the schools, see Philadelphia report, *supra*, pp. 149–53.

[88] Discussed *supra*, pp. 191–94.

After this critical note, it might be well to reiterate that the basic problems of segregation in Chicago public education were not created by the school administration. The school system has merely accepted a pattern which is the product of other forces. In a city where it has been impossible to obtain an open occupancy ordinance, and where the city administration and council have passed up numerous opportunities to promote residential integration, is it reasonable to expect the school administration to undertake by itself a positive program of integration? Yet these same factors today pose a special challenge to the board. Spurred into action by the controversy over unused space and transfer policy, its momentum could carry the board into an era of experiment and reform. A program of carefully planned zoning in fringe areas coupled with a sound transfer policy might not only provide the first steps to integration in the schools but could encourage the other organs of the city government to undertake with a new spirit the herculean task of housing desegregation. This would be a great contribution.

APPENDIX A


Chicago School Districts and the Negro Residential Pattern
▨ NON-RESIDENTIAL AREAS
■ NEGRO POPULATION 40%-100%
Lake Michigan
①
②
③
④
⑤
⑥
⑦
⑧
⑨
⑩
⑪
⑫
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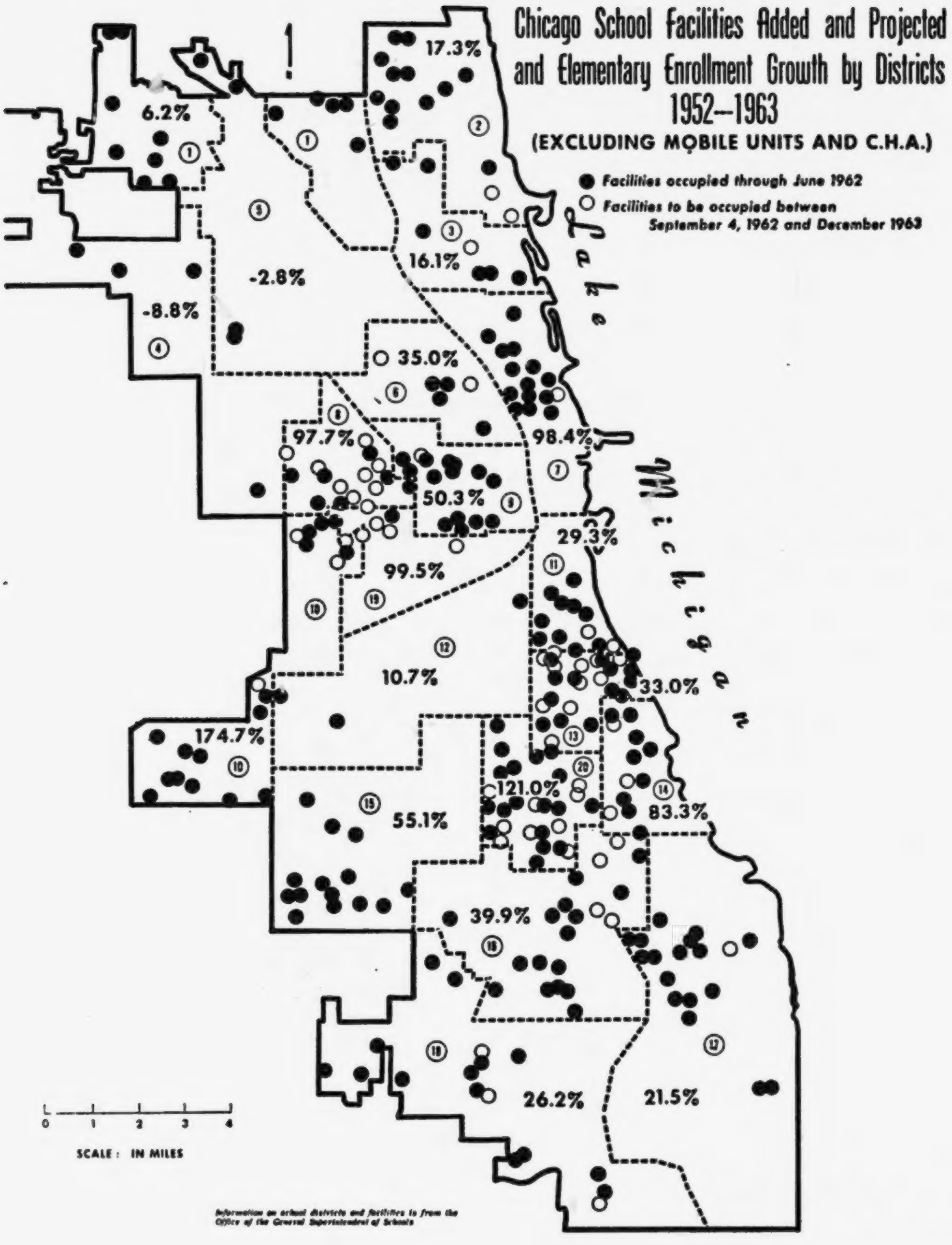
0 1 2 3 4
SCALE IN MILES

Information on residence pattern from 1960 census tract prepared by Chicago Department of City Planning for Chicago Commission on Human Relations. The information on school districts is from the Office of the Superintendent of Schools.

APPENDIX B



Chicago School Facilities Added and Projected and Elementary Enrollment Growth by Districts 1952—1963

(EXCLUDING MOBILE UNITS AND C.H.A.)

● Facilities occupied through June 1962

○ Facilities to be occupied between September 4, 1962 and December 1963

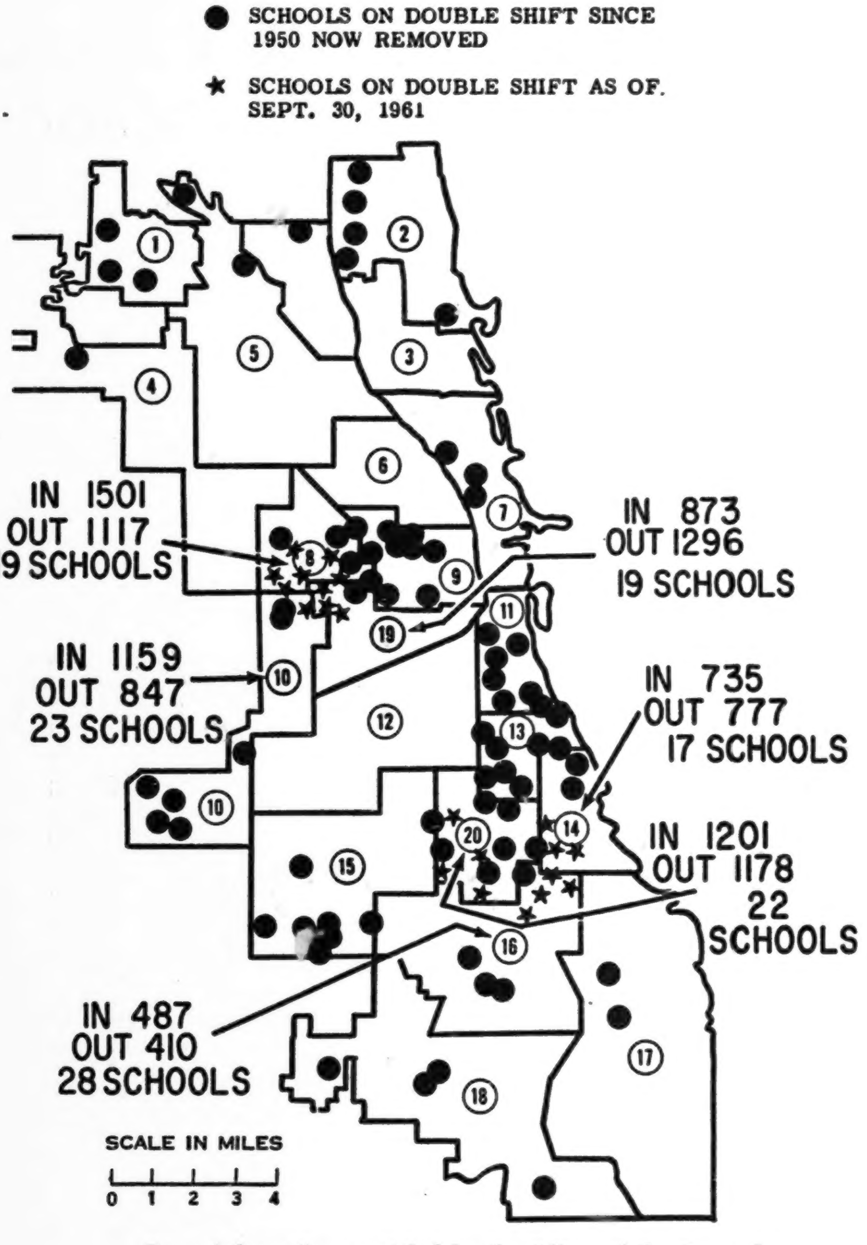
Information on school districts and facilities is from the Office of the General Superintendent of Schools

6.2%
17.3%
-2.8%
16.1%
-8.8%
35.0%
97.7%
98.4%
50.3%
29.3%
99.5%
10.7%
33.0%
174.7%
121.0%
83.3%
55.1%
39.9%
26.2%
21.5%
Lake
Michigan
0
1
2
3
4
SCALE: IN MILES

APPENDIX C

CHICAGO PUBLIC SCHOOLS ON DOUBLE SHIFT-SEPT. 30, 1961 AND MOBILITY OF PUPILS BY DISTRICTS WITH DOUBLE SHIFT SCHOOLS

SEPT. 29, - OCT. 27, 1961


● SCHOOLS ON DOUBLE SHIFT SINCE 1950 NOW REMOVED
★ SCHOOLS ON DOUBLE SHIFT AS OF. SEPT. 30, 1961
IN 1501 OUT 1117 19 SCHOOLS
IN 873 OUT 1296 19 SCHOOLS
IN 1159 OUT 847 23 SCHOOLS
IN 735 OUT 777 17 SCHOOLS
IN 1201 OUT 1178 22 SCHOOLS
IN 487 OUT 410 28 SCHOOLS
①
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SCALE IN MILES
0 1 2 3 4

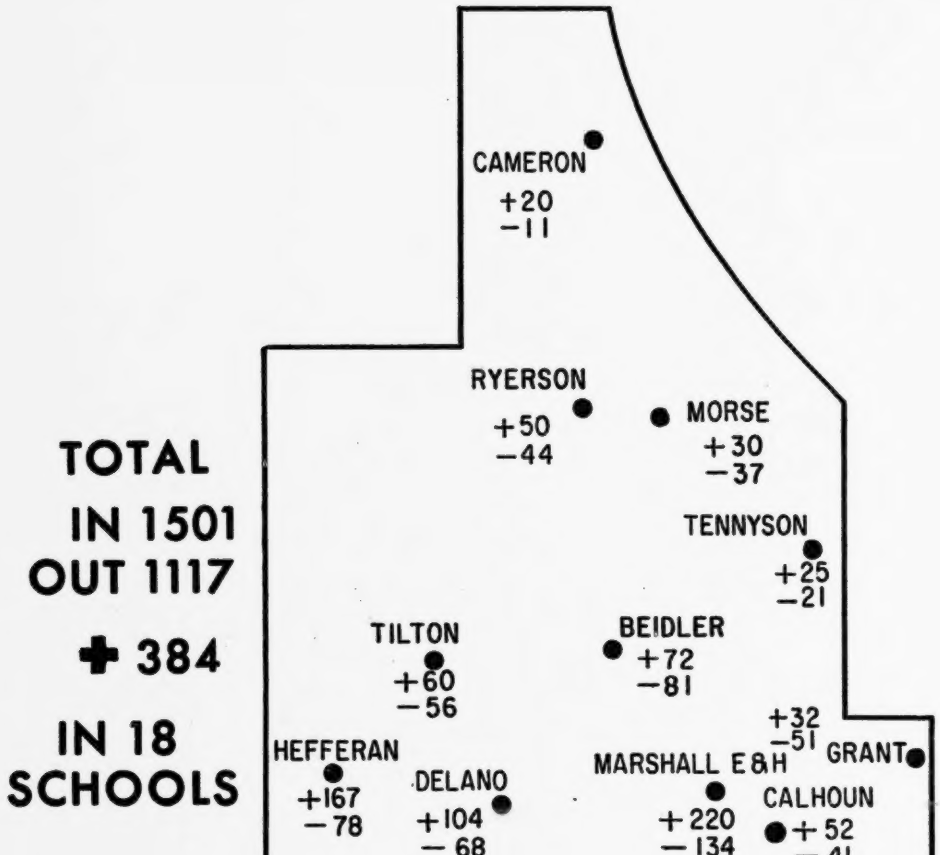
From information compiled by the Office of the General Superintendent of Chicago Public Schools.

APPENDIX D

MOBILITY OF PUPILS IN DISTRICT 8

SEPT. 29, 1961-OCT. 27, 1961

+ PUPILS ENTERING A SCHOOL
— PUPILS LEAVING A SCHOOL

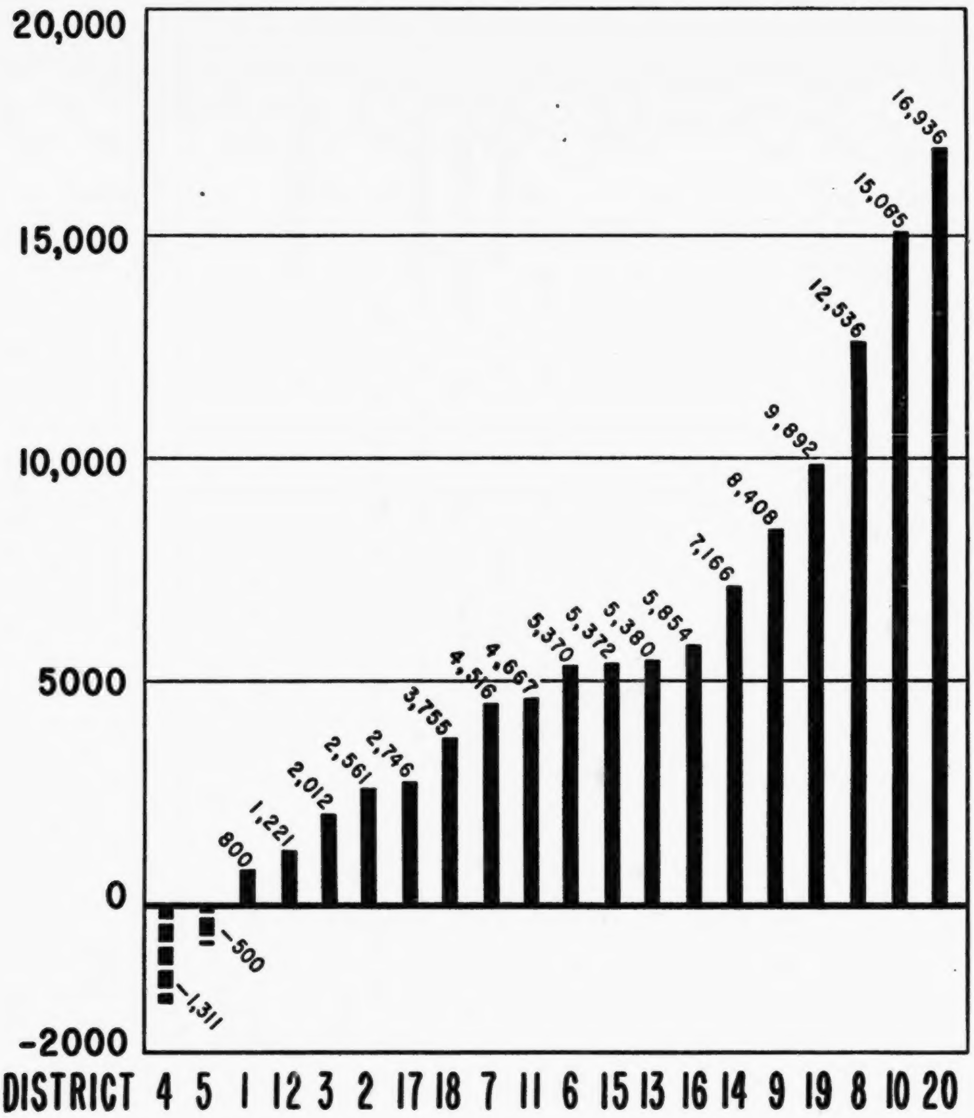

TOTAL
IN 1501
OUT 1117
+ 384
IN 18
SCHOOLS
CAMERON +20 −11
RYERSON +50 −44
MORSE +30 −37
TENNYSON +25 −21
TILTON +60 −56
BEIDLER +72 −81
+32 −51
GRANT
HEFFERAN +167 −78
DELANO +104 − 68
MARSHALL E&H +220 − 134
CALHOUN + 52 − 41
SUMNER + 152 − 84
GREGORY + 216 − 216
MANLEY +166 +80 − 80 −65
KING +55 −50

The Manley figures are for both Manley (k–6) and Manley Upper Grade Center.

APPENDIX E

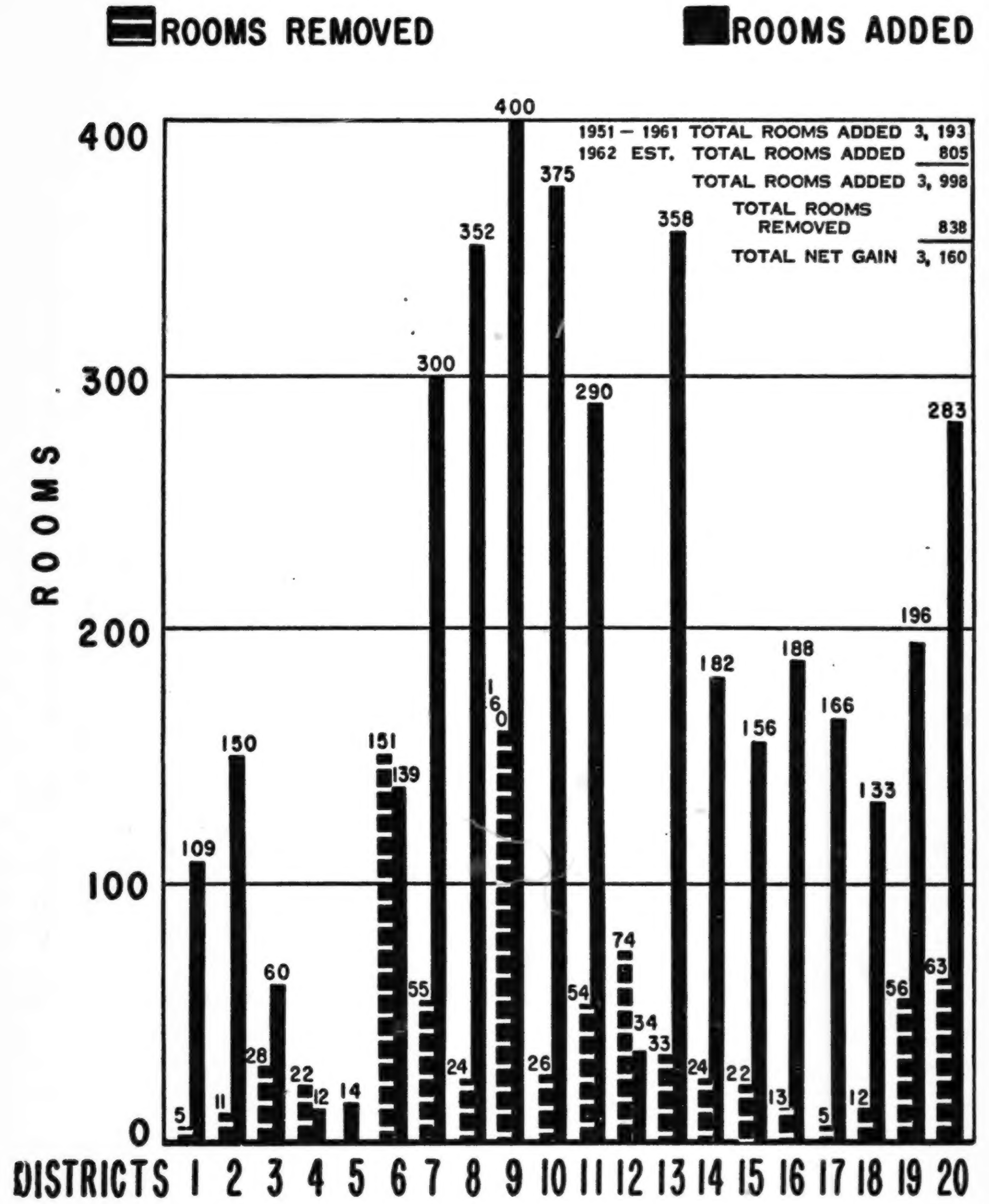
ELEMENTARY SCHOOL ENROLLMENT CHANGES

SEPT. 1951 - SEPT. 1961



APPENDIX F

ELEMENTARY CLASSROOMS-BY DISTRICT
Added and Removed
1951-1961 & Estimated through 1962



APPENDIX G

Appropriations per Pupil for Selected Chicago Schools—1961 [1]

School	District	Enrollment [2] 1961–62	Appropriations [3]		Appropriations for teachers' salaries		Appropriations for other operating expenses	
			Total	Average per pupil	Total	Average per pupil	Total	Average per pupil
WHITE*								
Armstrong	2	1,155	$358,857	$311	$279,485	$242	$79,372	$69
Bryn Mawr	17	957	324,302	339	247,995	259	76,307	80
Coonley	3	676	227,155	336	166,125	246	61,030	90
Edison	1	604	223,731	370	148,790	246	74,941	124
Harte	14	495	173,509	350	131,125	265	42,384	86
Kellogg	18	533	244,899	459	167,750	315	77,139	145
Locke	4	733	261,038	356	196,150	268	64,888	89
O'Keefe	14	721	261,729	363	193,455	268	68,274	95
Perry [4]	16	798	347,981	436	259,515	325	88,466	111
Stevenson	15	1,393	387,798	278	313,225	225	74,573	54
Twain	10	873	244,927	281	182,250	209	62,677	72
Total	---------	8,938	3,055,926	---------	2,285,865	---------	770,051	---------
Averages for 11 white schools	---------	---------	---------	342	---------	256	---------	86
INTEGRATED*								
Avalon Park	16	765	228,245	298	162,500	212	65,745	86
Burns	10	1,086	309,364	285	236,050	217	73,314	67
Cornell	16	1,306	343,440	263	268,600	206	74,840	57
Fernwood	16	[5] 807	414,954	514	240,950	299	174,004	216
Franklin	7	1,109	460,723	415	339,175	306	121,548	110
Jefferson	9	1,054	287,133	272	217,300	206	69,833	66
Schley	6	851	239,761	282	179,425	211	60,336	71
Shoesmith [6]	14	634	153,267	242	94,725	149	58,542	92
Skinner	9	1,092	352,543	323	268,400	246	84,143	77
Total	---------	8,704	2,789,400	---------	2,007,125	---------	782,305	---------
Averages for 9 integrated schools	---------	---------	---------	320	---------	231	---------	90
NEGRO*								
Burnside	16	1,726	443,251	257	342,660	199	100,591	58
Carnegie	14	1,316	317,366	241	258,850	197	58,516	44
Doolittle	11	2,325	866,203	373	692,380	298	173,823	75
Forestville [7]	13	4,087	1,288,994	315	1,035,485	253	253,509	62
Gregory	8	3,875	786,460	203	673,600	174	112,860	29
Lewis-Champlin	21	2,291	541,083	236	482,500	211	58,583	26
Parkside	14	1,009	299,199	297	227,625	226	71,574	71
Pope	19	1,955	509,165	260	426,810	218	82,355	42
Williams	11	2,136	512,587	240	416,500	195	96,087	45
Total	---------	20,720	5,564,308	---------	4,556,410	---------	1,007,898	---------
Averages for 9 Negro schools	---------	---------	---------	269	---------	220	---------	49

*The determination of the racial category of the selected schools is based upon the method *supra*, p. 185.

[1] From the 1961 budget of the Chicago Board of Education.

[2] From the Directory, Illinois Schools, 1961–62.

[3] Appropriations for capital improvements excluded.

[4] Perry School is probably atypical. It serves handicapped children in special classes.

[5] This figure is suspiciously low compared to 1960–61 (1,114). It is perhaps accounted for by interim shifting of students to other facilities, but this is only conjecture.

[6] The figures for the new Shoesmith school are taken from the 1962 budget. The 1961 appropriations were incomplete.

[7] The figures cover both the k-6 school and the upper-grade center.

APPENDIX H

Schools on Double Sessions, September 1950–61

School names	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
District 1:												
Edison					245							
Garvy	245	233	361					182	280	76		
Oriole Park	170	316	336									
Solomon						312		165	168	158		
Wildwood Branch of Edgebrook		159	289									
Total	415	708	986		245	312		347	448	234		
District 2:												
Boone	397	544		107	679	386						
Clinton		309	569		435							
Jamieson				484	706							
Rogers	289	490		278	546							
Stewart				308								
Total	686	1,343	569	1,177	2,366	386						
District 4: Carty		403	265									
District 5: Forest Glen Branch of Farnsworth	22	14			12	11						
District 6: Hayes								278				
District 7:												
Jenner								1,703				
Manierre										339		
Mulligan										120		
Total								1,703		459		

District 8:												
Beidler						132	237	674	661			
Calhoun	380	580					319	287	393	674	732	
Delano										242	637	242
Gregory								504	674	1,944	3,348	3,218
King										732		
Manley (k-6)												441
Marshall Elementary						147		207		650	1,348	353
Sumner										363	638	739
Tennyson						156	265	406	419	218	64	
Tilton										706	731	
Total	380	580				435	821	2,078	2,147	5,529	7,498	4,993
District 9:												
Skinner	443	533	637	1,019		182	191					
Birney						427	741	1,004	739			
Brainard							222	365				
Brown	579	605					667					
Emerson							221	170				
Grant	863	1,036	1,262	1,755				194	856		509	
Medill Intermediate										926		
Total	1,885	2,174	1,899	2,774		427	2,033	1,924	1,595	926	509	
District 10:												
Bryant							1,135	2,008	2,103	2,694	2,881	2,089
Byrne				297	574	823	1,052					
Hale		215	170								296	
Hearst								508	693			
Herzl							649	669	357	828	1,140	1,419
Kinzie Primary and Intermediate										417		
Mason (k-6)								549		579	730	
Penn						779	1,046	1,264	1,302	1,284	1,269	1,435
Total		215	170	297	574	1,602	3,882	4,998	4,455	5,802	6,316	4,943

APPENDIX H

Schools on Double Sessions, September 1950–61—Continued

School names	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
District 11:												
Doolittle	-----	-----	-----	-----	-----	-----	-----	969	514	870	1,084	-----
Drake	1,174	1,130	-----	-----	-----	-----	-----	173	-----	455	-----	-----
Haines	-----	-----	-----	-----	-----	-----	-----	276	-----	-----	-----	-----
Keith	-----	-----	-----	-----	-----	-----	-----	84	-----	-----	-----	-----
Oakenwald	-----	-----	-----	532	887	1,111	427	591	-----	-----	-----	-----
Raymond	-----	-----	-----	-----	-----	-----	935	851	-----	-----	-----	-----
Williams	-----	-----	-----	-----	-----	366	-----	-----	-----	-----	-----	-----
Total	1,174	1,130	-----	532	887	1,477	1,362	2,944	514	1,325	1,084	-----
District 13:												
Burke	-----	-----	-----	-----	-----	-----	-----	-----	-----	161	166	-----
Colman	-----	-----	-----	-----	-----	-----	-----	-----	-----	75	-----	-----
Farren	-----	-----	-----	-----	-----	-----	-----	-----	-----	150	-----	-----
Forestville Primary and Intermediate	-----	-----	-----	-----	-----	-----	421	-----	-----	-----	-----	-----
Hendricks	-----	-----	166	401	-----	290	321	456	457	228	-----	-----
Parkman	275	426	548	731	921	-----	-----	351	284	-----	-----	-----
Shakespeare	-----	497	657	-----	767	1,127	878	1,181	-----	-----	-----	-----
Total	275	923	1,371	1,132	1,688	1,417	1,620	1,988	741	614	166	-----
District 14:												
Carnegie	-----	-----	-----	-----	-----	-----	-----	-----	-----	355	341	332
Fiske	-----	-----	-----	-----	-----	-----	233	209	-----	330	300	332
Kenwood	-----	212	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Murray Branch—Kenwood	-----	-----	-----	-----	232	-----	-----	-----	-----	-----	-----	-----
Scott	-----	-----	-----	-----	579	1,215	1,722	887	-----	316	-----	613
Wadsworth	-----	-----	-----	544	716	319	811	629	475	1,652	326	931
Total	-----	212	-----	544	1,527	1,534	2,766	1,725	475	2,653	967	2,208

District 15:												
Copernicus								168				
Dawes								337				
Hurley						485	511	324				
Owen		157	516	558								
Owen Branch			100	128								
Ashburn Branch—Owen			56	107								
Park View Branch—Owen				63								
Stevenson							400	909				
Total		157	672	856		485	911	1,738				
District 16:												
Madison												744
Barton Branch				46								
Cornell											381	453
Dixon											396	694
Gillespie					275	431	465					
Gillespie Branch						226	216					
Park Manor				296	614					158	160	
Revere											451	712
Ryder										296	555	
Total				342	889	657	681			454	1,943	2,603
District 17:												
Luella	146	397	886	350			316	566	188			
Warren				226				555	244			
Total	146	397	886	576			316	1,121	432			
District 18:												
Carver Elementary			538	1,033	1,579					352	452	
Carver Intermediate										289	623	
Mount Greenwood						82						
Shoop		563	661					215				
Bates Branch—Whistler											218	
Total		563	1,199	1,033	1,579	82		215		614	1,293	

APPENDIX H

Schools on Double Sessions, September 1950–61—Continued

School names	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
District 19:												
Chalmers							280	125	322	608		
Howland										628	863	426
Lawson					906	1,458	1,296	1,567	1,642	1,852	1,482	1,415
Pope							174	678	415	1,131	1,496	1,107
Shepard										402	340	173
Total					906	1,458	1,750	2,370	2,379	4,621	4,181	3,121
District 20:												
Bass							174	581	245	552	911	
Brownell				214				261	480	518	302	
Carter	403											
Harvard										398		532
Kershaw										798	1,268	1,471
McCosh										361		
Parker Elementary								408		1,479	1,846	1,974
Sherwood		333	599	711	739	464		169				
Wentworth										935	2,040	1,929
Yale								566	1,192	1,376	324	
Total	403	333	599	925	739	464	174	1,985	1,917	6,417	6,691	5,906
District 21:[1]												
Beale Primary and Intermediate						337	723	1,202		747	1,368	467
Lewis-Champlin			333	956				503	289	765	1,436	1,102
Total			333	956		337	723	1,705	289	1,512	2,804	1,569
Total schools, by years	13	21	19	23	18	22	30	48	25	46	38	34
Total pupils, by years	5,386	9,152	8,949	11,144	11,412	11,084	17,039	27,119	15,392	31,187	33,452	25,343

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[1] District 20 was split into districts 20 and 21 in 1962.

APPENDIX I

Certification of Teachers

School (branches included)	District	Total teaching staff[1]	Uncertificated teachers[2]
WHITE			
Armstrong	2	40	2.0
Bryn Mawr	7	33	1.0
Coonley	3	23	3.0
Edison	1	21	3.0
Harte	14	20	4.5
Kellogg	18	21	1.0
Locke	4	24	3.0
O'Keefe	14	26	6.0
Perry	16	34	4.0
Stevenson	15	45	6.0
Twain	10	27	4.5
Total		314	38.0
Average percent of uncertificated teachers, 11 white schools:			12
INTEGRATED			
Avalon Park	16	26	6.5
Burns	10	35	10.0
Cornell	16	41	6.0
Fernwood	16	36	1.0
Franklin	7	52	13.5
Jefferson	9	35	13.0
Schley	6	30	7.0
Shoesmith	14	18	4.0
Skinner	9	40	10.0
Total		313	71.0
Average percent of uncertificated teachers. 9 integrated schools:			23
NEGRO			
Burnside	16	54	12.0
Carnegie	14	42	14.0
Doolitttle	11	79	15.0
Forestville (South)	13	86	29.0
Gregory	8	124	55.5
Lewis-Champlin	21	79	26.0
Parkside	14	32	4.0
Pope	19	67	18.5
Williams	11	66	22.0
Total		729	196.0
Average percent of uncertificated teachers, 9 Negro schools:			27

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[1] Directory, Illinois Schools, 1961-62.

Information supplied by office of superintendent of schools.

APPENDIX J

Library Resources 1961–62

School	District	No. of students [1] 1961–62	No. of volumes [2] June 1962	Average per student
WHITE				
Armstrong (with branch)	2	1155	[3] 7728	6.7
Bryn Mawr	17	957	4538	4.7
Coonley	3	676	3087	4.6
Edison (with branch)	1	604	4324	7.2
Harte	14	495	[2] 2497	5.0
Kellogg (with branch)	18	533	3732	7.0
Locke	4	733	2672	3.6
O'Keefe	14	721	3683	5.1
Perry	16	798	2127	2.7
Stevenson	15	1393	[3] 5816	4.2
Twain	10	873	4046	4.6
Total	--------	8938	44250	5.0
Average per pupil for 11 white schools: 5.0 vols.				
INTEGRATED				
AvalonPark	16	765	3919	5.1
Burns	10	1086	3527	3.2
Cornell	16	1306	2881	2.2
Fernwood (with branch)	16	807	4603	5.7
Franklin	7	1109	3970	3.6
Jefferson	9	1054	[3] 2835	2.7
Schley	6	851	3405	4.0
Shoesmith [4]	14	634	742	1.2
Skinner	9	1092	4509	4.1
Total	--------	8704	30391	3.5
Average per pupil for 9 integrated schools: 3.5 vols.				
NEGRO				
Burnside	16	1726	3837	2.2
Carnegie	14	1316	2715	2.1
Doolittle	11	2325	5459	2.3
Forestville (South)	13	2500	6223	2.5
Gregory	8	3875	5423	1.4
Lewis-Champlin	21	2291	6876	3.0
Parkside	14	1009	4647	4.6
Pope (with branch)	19	1955	6170	3.2
Williams	11	2136	6273	2.9
Total	--------	19133	47623	2.5
Average per pupil for 9 Negro schools: 2.5 vols.				

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[1] Directory, Illinois Schools, 1961–62.

[2] Information supplied by office of the superintendent of schools.

[3] June 1961.

[4] Newly opened 1961–62.

STATEMENT SUBMITTED BY WILLOUGHBY ABNER, NATIONAL VICE PRESIDENT, NEGRO AMERICAN LABOR COUNCIL AND SECRETARY-TREASURER OF ITS CHICAGO AREA CHAPTER BEFORE THE SPECIAL SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES IN SUPPORT OF FEDERAL FAIR EMPLOYMENT PRACTICES LEGISLATION, TUESDAY, OCTOBER 24, 1961

Mr. Chairman and members of the special Subcommittee on Labor, on this occasion I am privileged to represent the Chicago area chapter of the Negro American Labor Council. I wish to state at the outset that I am a confirmed and dedicated trade unionist, fully cognizant of the great historic and pungent contemporary contributions the American labor movement has made to the toiling masses, to the social and economic progress of our society, to our Nation as a whole and to the world community. As an Illinoisan, as a Chicagoan, and without interruption as an American Negro, I have not merely observed the discriminatory and exclusion practices of our socioeconomic complex, but have been victimized by it. It is impossible to fully communicate except to those who have been initiated the humiliation, the frustration, the bitterness, the hurt, the confusion, the deep sense of futility and tragically, too often the spiritual erosion suffered by the victims of job exclusion and economic discrimination.

I leave to others the recitation of past instances of progress in the area of employment opportunities. The tortuous road ahead to full equality of job opportunities for all Americans is too long and winding for me to seek solace gazing in the rearview mirror. Now that we have the official world from the U.S. Commission on Civil Rights as contained in its report on employment, we should move full speed ahead.

Not government, not business, not labor can escape the powerful indictment returned against each of them in the Commission's report. As a trade union leader, I cannot in good conscience point the finger at business and government and ignore or minimize the discriminatory practices of my colleagues and brothers in the house of labor. Discrimination does exist within the labor movement and the snaillike pace in removing these barriers caused the conception and birth of the Negro American Labor Council.

This subcommittee should not be deterred from including legislative provisions which will effectively deal with trade union practices that deny equality of job opportunity at any level.

I know this subcommittee has been burdened with charts, statistics, figures, and surveys relating to job discrimination. With your permission, I would like to add one more survey. However, before I do—permit an observation. National statistics on job discrimination and Negro unemployment, generally, understate the problem in Chicago. For example: when unemployment this year showed that 7 percent of white workers were unemployed nationwide, as you know, 14 percent or twice the percentage of nonwhite workers were unemployed; however, here in Chicago the percentage of nonwhite unemployed was three times that of white workers.

Conservative national statistics show 13 out of every 100 white workers engaged in a professional or technical occupation while only 5 of every 100 Negro workers are so employed. National figures reveal that 13 out of every 100 white workers have a skilled trade but only 5½ out of every 100 Negro workers have managed the breakthrough. As shocking as these figures may be they understate the problem in Chicago.

The survey and study which I am about to refer to help explain in part this situation. During the spring of this year the Chicago area chapter of the Negro American Labor Council initiated a survey of the only true trade school in Chicago-Washburne located at 31st Street and Kedzie Avenue. It is a part of the Chicago school system and benefits from our public funds. Only union apprentices may attend the Washburne shop classes. Our survey showed that the estimated number of Negro apprentices in May 1961, in 12 trades of Chicago's publicly supported Washburne Trade School made up only 1 percent of those trades' 1960 enrollment of over 2,600. In 7 of the 12 trades studied there were no Negro apprentices at all. The breakdown as of May 1961 is as follows:

Trade	1960 apprentice enrollment	Estimated Negro apprentices
Carpenters	241	0
Electricians	713	10
Plumbers	312	3
Machinists	157	0
Pipefitters	323	0
Painters and decorators	159	2
Lathers	147	0
Patternmakers	29	0
Sprinkler fitters	65	0
Typographers	203	2
Linotype	14	4

NOTE.—Total enrollment, 2,682; Negro enrollment, 26.

Apprentices enter Washburne Trade School as a rule through the joint apprenticeship committees of the union and the industry, although they may also come directly to the school from the employer. The school assumes no responsibility for the selection of apprentices.

On Monday of last week, like many other citizens of Chicago, I availed myself of the opportunity to publicly testify before the Chicago Board of Education. After presenting these statistics on Washburne Trade School and after admitting the responsibility of the craft unions and the industry, I then asked the superintendent of the Chicago Public Schools did he not believe that the board of education also had some responsibility in combating discrimination in the apprenticeship training program at Washburne, particularly in view of its direct involvement and the use of public funds. After a moment's hesitation, his answer to my query was: "No comment."

A little over a week ago the Illinois State AFL–CIO concluded its annual convention. The only major and extended debate centered around an amended resolution dealing with apprenticeship training programs. In the debate which was hot and heavy, I observed then as I observe now that anyone who claims there is no racial discrimination in apprenticeship training programs is either a fool or a hypocrite. I don't have to tell this committee that the main opposition came from some craft union, but we won that battle. A majority of 2,000 delegates representing a million workers in Illinois adopted that resolution. And what did it provide that caused the fireworks? Permit me to read the one sentence resolve: "That this convention go on record to appoint or elect at large, a racially integrated committee to study, discuss, and adopt means by which they can establish an effective, racially integrated apprenticeship program."

The repeated theme of the opposition was that "No one is going to tell us how to run our apprenticeship training programs."

Do we need Federal legislation in this area? The Negro American Labor Council answers with an emphatic "Yes"! We implore this subcommittee when the inevitable legislative whittling-down process takes place to resist all efforts which would assign to the legislative junk heap the following provisions:

(1) That which prohibits the Secretary of Labor in assisting the establishment of a training program which considers the race, creed, or color of the potential apprentice.

(2) That which forbids the Secretary of Labor to grant a certification under the wage-hour law for apprentices enrolled in discriminatory training programs.

(3) That which prohibits the Secretary of Labor from granting a variation under the Walsh-Healy Act where the apprenticeship program limits applicants on the basis of race, creed, or color.

We wholeheartedly agree with the chairman of the Committee on Education and Labor when he stated that "The Federal Government cannot be a party to or confer any benefits upon an apprenticeship training program which discriminates against qualified applicants on the basis of race, color, or creed.

Yes, one need only look around the Chicago community to see the desperate need for training Negro youth in skilled trades. Everywhere you see buildings going up with bricklayers, carpenters, plumbers, tile men and cement finishers with a token number of Negro skilled tradesmen on the job. When questioned about this, there is always someone to say "there are a lot of Negroes on these jobs," but no one to point out that these Negro workers are in the main common laborers and even their tribe is diminishing.

The trades mentioned above are ones in which there are a few Negro journeymen members, but what of the trades which have no Negro journeymen members, or one or two in the whole city; like the iron erectors, glazers, stationary engineers, pile drivers, lathers, floor layers, to name a few?

The economic cost of discrimination to the taxpayers of Cook County was dramatically illustrated by Mr. Raymond Hilliard before this subcommittee yesterday and needs no embellishment. There is, however, one aspect of economic cost of job discrimination to the Nation I would like to emphasize. The latest figures available to me showed that in 1959 the average white family in the United States had a median annual income of $5,643 while the average Negro family had only $2,917.

What most of us forget is that discrimination cuts two ways—the most important economic cost of discrimination is to the entire national community. To illustrate: if the income of the average Negro family were raised to equal the income of the average white family, the total gain would come to $10.9 billion a year. Approximately every $6,000 in effective purchasing power means a job for someone, somewhere in the economy. This means discrimination is costing the Nation 1,800,000 jobs at the moment—enough to make an enormous dent in the unemployment situation. Perhaps your white neighbor is unemployed because someone is discriminating against your Negro neighbor. In short, job discrimination increases unemployment among both Negro and white workers. The converse is also true. As we reduce job discrimination, we increase the number of jobs available for all workers.

In this age of advancing technology nearly everything is being automated but the rate of the Negroes' entrance into the technical, managerial, professional and skilled trade occupations. According to the U.S. Department of Labor, this dynamic technology together with those entering the labor market will in the next decade require the creation of 4,100,000 new jobs each year. Failure to meet this challenge would threaten our entire economic structure upon which our world posture and leadership in the struggle against international communism is so dependent. This challenge to our economic structure in this atomic age cannot be met unless Negro Americans are trained and at work on the jobs created by this new technology.

To those of my colleagues who may become angered, embittered, and vindictive because of portions of this testimony and similar declarations by other Negro trade unionists—a word of advice: Stop squealing like pigs caught under a fence, stop worrying about such exposures tarnishing the image of the labor movement; history may yet prove that this prodding, urging, and demanding resulted in the positive, corrective action which saved not only the image of the labor movement but the labor movement itself.

To the members of this subcommittee—may you not be swayed or deterred from the course your chairman has charted, and my sincere thanks for this opportunity to appear before you in support of a truly effective Federal fair employment practices law.

Testimony Given by Timuel D. Black, on Behalf of the Chicago Area Chapter of the Negro American Labor Council, at Chicago Board of Education School Policy Hearings, November 5, 1964

Mr. Whiston and members of the board, my name is Timuel D. Black, and I am here to present this statement as local president of the Negro American Labor Council, which is a national organization with AFL–CIO Vice President Mr. A. Philip Randolph as national president. Our task is to eliminate segregation and discrimination in labor, industry, and government wherever we find it. As you know, finding it is easy because it is present in fantastic quantities. Breaking it down is more difficult because race prejudice and bigotry usually accompany or precede any form of racial or religious segregation or discrimination.

It is this problem of segregation and discrimination in Chicago public schools with public funds that brings me here today.

It is a repetitious truism to state that a child who goes to a segregated school today is being deprived, yes, cheated, out of the skills and experiences that are necessary to make a go of it in a democratic society and a shrinking world and universe both academically and socially. By this definition, then, and according to the Hauser report, approximately 90 percent of Chicago's Negro children and 90 percent of Chicago's white children are being thus tragically handicapped. I accept both the definition and the findings of the Hauser report.

On Saturday of this past weekend my family and I attended a beautiful rendition of Bizet's opera "Carmen". It was most interesting and thrilling to note that the cast was mixed and that Miss Grace Bumbry, a Negro, was the star. The children's chorus, made up of youngsters from 7 to 13 years, was an integrated one and they performed magnificently. There was not an inferior one there. Their director, Mr. Christopher Moore, had made them all superior, and all equal at the same time in their feelings toward one another, so obvious to all who witnessed it. I was so proud because my son Timmy was part of that group, as were all of the parents and friends, black and white alike. None of these children or parents could have gained this marvelous experience in any other way.

All over the world changes and new directions are being had in the area of race relations and recognition of human dignity. This is a new world in which we live and we had better prepare our children for it. Even in tyrannical, bigoted, poverty-stricken, sick Mississippi this is slowly being recognized and at last integration of the public schools is moving forward. Here in Chicago we are either standing still or moving backward. Ladies and gentlemen, we are crippling all of our children, black and white, because you cannot, in a democratic society, do one without doing the other.

On March 31 of this year the report to the board of education by the advisory panel on the integration of the public schools was submitted by Dr. Philip Hauser. Five panel members who are preeminent in the field of education and human development were members of that panel and agreed to its findings and recommendations unanimously. Yet up to today this board of education cannot even agree to a firm and consistent statement that there is, as a matter of fact, segregation in Chicago's schools and that it intends to do something very positive about it immediately.

This is a sad commentary on intelligent people.

New York City had less of a segregation problem than Chicago and could have hid behind the cloak of gradualism, because she was moving in a positive direction. However, faced with the facts of life and urgency of the situation, her board of education and her superintendent of schools stood firm behind a program of immediate integration. Her board and her superintendent faced the racists and the bigots firmly and squarely and said, "In the name of democracy, we shall not be moved."

It seems to me Chicago should do no less.

Yet 6 months after submission of the report not one significant step has been taken to implement any of its major parts. The situation in the vocational schools where Negro children attend is deplorable and is rapidly deteriorating. Morale among both teachers and students is at a low ebb. The students are being prepared for absolutely nothing, neither college nor work, this is shameful. It is a matter of local, State, and National public record now that Washburne Trade School continues to systematically exclude Negroes from the building trades apprenticeship program. According to the Hauser report, less than 2.5 percent of the apprentices are Negro. At this point this is in direct violation of the late President Kennedy's Executive order on vocational and apprenticeship training and employment; and of the newly passed civil rights law. On this particular issue we serve notice, Mr. President, on the building trades council and on the Chicago Board of Education that the Negro American Labor Council can and will take the appropriate social and legal action to bring about a long overdue correction of an evil. To use the taxpayers' money to perpetuate an exclusive education dictated by outsiders is a travesty on justice if there ever was one.

To conclude, Mr. Chairman, I would like to suggest to you that not only are the Negro children in Chicago being cheated out of an education, but the white children are also, both academically and socially. White parents in all-white schools tell me all the time of the terrible education and experiences that their children are undergoing. And so they move their children to private schools or to the suburbs. Because of economic circumstances and race prejudices, Negro children cannot be so helped. And so the Negro child becomes the test of whether Chicago can have an integrated school system the white children will not flee.

Because the education of Negro children in the past has been so unequal that white parents fear this inequality for their children when Negroes move in, give to all Chicago's children quality and equality in education and the flight will cease. You will still have your middle-class families to support your downtown merchants and an adequate Negro middle class to augment it. Given the present situation you will not halt the flight, the deterioration of education, and its concomitants of confusion, poverty, despair, delinquency, crime, and dependency. We ask you to arrest this situation immediately.

We ask you to make a firm statement of policy of integration immediately which carries with it intent. We urge that you adopt a policy which will force any future superintendent to submit specific plans on the time and method by which quality and equality in education will proceed. We urge that no superintendent who does not agree in writing to this be considered for this post. We urge that any superintendent considered be very responsible to the board or any of its members for records or any other information necessary to ascertain the condition of education in a Chicago school or schools, and to make these records available on request.

It is important, Mr. Chairman, that we get on with the business of educating all of Chicago's children on a fair and equal basis.

You can rest assured that to do less will be catastrophic.

Thank you very much.

Testimony Given at Chicago Board of Education Budget on December 15, 1964 by Timuel D. Black on Behalf of the Chicago Area Chapter of Negro American Labor Council

Mr. Chairman and members of the Chicago Board of Education, according to an article written by Mrs. Charles Miodemers of the Washington bureau of the Chicago Daily News, Dr. Benjamin C. Willis, the general superintendent of the Chicago Public Schools was quoted as stating that Chicago's schools will continue to shortchange thousands of young people whose futures could be brightened by vocational education, unless more Federal aid is voted for such program. The article referred to was written in the fall of 1961 while Dr. Willis was chairman of a special Presidential committee that was charged with studying the inadequacies and needs of vocational training programs across the Nation.

The article went further to cite Dr. Willis as stating that "All our current programs—training people in junior colleges, rehabilitating and educating relief families, helping people understand manpower retraining and redevelopment laws—could be coordinated and expanded. If we do this we can help lick our unemployment, school dropout and relief problems along with other social ills and if we don't, our economy—and more important, millions of our people—are going to be in serious trouble."

Some months later an Executive order was issued by the late President Kennedy and later still a law was passed by the Congress of the United States making funds available for programs dealing with improvement of vocational and trade training to States and local communities on a now discriminatory basis. It is very interesting to note that Chicago has not availed itself of these admittedly much needed resources. In this same article noted above Dr. Willis is noted as saying that the figures show that 8 out of every 10 children now in the elementary schools will not finish college "meaning they need some other sort of training to get and hold a job," be it in homemaking, industry, business or farming.

"Yet of the 115,000 students now in Chicago high schools only 10 percent are in vocational schools such as Lane Tech, Crane Tech, and Chicago Vocational which provide the only really broad thorough training available" he said.

While shop, industrial arts, and secretarial courses are taught in most other high schools, "they can't provide anything like the service needed," Willis stressed.

Mr. Chairman and members of this board it seems absolutely incredible that we have had the knowledge that Dr. Willis attested to and the resources as provided by Executive order and bolstered by statute have let three go by without substantially altering which is a very dismal picture for hundreds of thousands of Chicago's children. Could it be that the nondiscriminatory provision has been the cause for ignoring or rejecting this vital educational opportunity?

For 4 years, Mr. Chairman, a representative of the Chicago Area Chapter of the Negro American Labor Council has been appearing in testimony before this body. We have heard testimony from hundreds of groups. We have witnessed the development of a Hauser report and a Havighurst report and noted with great alarm how systematically each has been ignored or been quietly but effectively sabotaged.

We have witnessed the appeasement of anticivil-rights groups on the school issue to the point that the John Birch Society feels quite safe and confident in recruiting and planning to set up office in the areas of the appeased. They evidently feel they have unknowing allies in high places of authority.

Meanwhile, Mr. Chairman, we note in the present suggested budget a cutback in the very areas where help is needed most. Special classes, summer school, human relations, all of these being items either in the budget or suggested elimination of them at a time when increase is sorely needed.

Mr. Chairman and members of this board, we in the Negro American Labor Council, see very dark and perhaps even violent days ahead for Chicago. Negro and white children are being miseducated and misguided in their quest for adjustment and security in this system. They are becoming increasingly frightened and hostile to each other. The neighborhood and school areas in which they can communicate are decreasing rapidly, and the school situation is accelerating that decrease in contact and communication. The Negro adult community with its growing unemployment and relief rates feels sorely treated and unfairly neglected. The white community egged on by bigots, racists, and unthinking officials in high economic, political, and educational circles are growing increasingly restive and hostile groups.

The question is, Mr. Chairman and members of this board, how much are you contributing to this rising feeling of restiveness and in what way do you intend to pursue your obligation to educate as equally and as effectively as possible all the children of all the people? That is your charge and you should do no less.

This cannot be done piecemeal or patchwork style. The fabric or body of education in the deprived and the privileged areas of this city are wearing so thin that what we may need is major surgery, or rather tailoring.

There are many budgetary recommendations we would like to make Mr. Chairman but in view of the glaringly dangerous restrictions already proposed in the budget we in the Negro American Labor Council have no choice but to recommend that this budget be rejected and sent back to staff for study and revision so that it will reflect much better in response to the needs of the cheated, deprived, and educationally underprivileged children and adults of this city.

We recommend that the special programs deleted or reduced be restored as they pertain to the low educational areas, and immediate consideration be given to implementation of those portions of the Hauser and Havighurst report which do not require large sums of money.

However, we also recommend that this board during this coming session make the necessary adjustments in its own budget and seek additions through State and Federal to obtain the $51 million minimum recommended in the Havighurst report for the coming year.

We hope that when we return to testify in the coming year that we can justifiably say that the board has resumed its responsibility and that we can say a job "well done" has been in progress.

VOCATIONAL EDUCATION AND APPRENTICESHIP TRAINING—A TIME OF CRISIS

(The U.S. Commission on Civil Rights recently issued a study entitled "Employment, Book 3, 1961." This report concerns itself with the problems of employment and the relationship of employment to vocational education and apprenticeship training. Published by the U.S. Government Printing Office, the report also analyzes the plight of vocational education and apprenticeship schools in America.)

Following are excerpts from this report:

"Denial of employment because of the color of a person's skin, his faith, or his ancestry is a wrong of manifold dimensions." On the personal plane, it is an affront to human dignity. On the legal plane, in many cases, it is a violation of the Constitution, of legislation, or of national policy. On the economic and social plane, discrimination may result in a waste of human resources and an unnecessary burden to the community.

The recent recession underlined two fundamental challenges to the Nation's economy. One of these was unemployment—acute in a recession, but still a chronic national problem. Although economic recovery now appears to be underway, the President has declared that "the task of abating unemployment and achieving a full use of our resources remains a serious challenge." The other problem, paradoxically intertwined with that of chronic unemployment, was a shortage of skilled workers. Even in a "depressed area" like Detroit, "jobs were going begging for lack of skilled workers to fill them." Technological changes and replacement of old industries by new ones have been largely responsible for increased unemployment. At the same time, they have increased the demand for skilled craftsmen and technical workers. This demand will continue to grow. It is estimated, for instance, that for every 100 skilled workers the Nation had in 1955, it will need 122 in 1965 and 145 in 1975. Yet today our vocational education and apprenticeship training programs are not producing even enough workers to replace those who retire.

These twin problems, serious as they are for the Nation as a whole, are magnified for minority groups that are subject to discrimination. The rate of unemployment for Negroes, for instance, was twice that of the white population during the recent recession. Despite a dramatic increase in types of employment available to Negroes during the past 20 years, the mass of Negro workers are still confined largely to the less skilled jobs. This concentration in the ranks of the unskilled and semiskilled, the areas most severely affected not only by economic layoffs but by technological change, means that Negroes will be in a poor position to fill the future needs of our constantly changing economy.

The problem of cyclical and structural unemployment is in one sense no different for members of minority groups than for others—the price of both society and the individual affected is the same. There is the human costs of slums, broken homes, illness, school dropouts, juvenile delinquency, and crime.

In another sense, however, these problems have a special dimension for the minority groups who bear more than their share of the economic, social, and human ills. For part of their burden is the result of discrimination. To the extent that it is, the country's interest in reducing the costs of unemployment and in developing our human resources to the full is reinforced by constitutional demand and a declared national policy of equal opportunity for all.

Not all of the unemployment of minority groups can be blamed on employment discrimination. On some occasions when new opportunities are thrown open to Negroes, few, if any appear who are interested or can qualify. The disproportionate layoffs they suffer in an economic downturn are due in considerable part to lack of seniority and concentration in unskilled jobs. Yet all of these problems may themselves be the result of discrimination, such as past pattern of outright refusal to hire Negroes or refusal to hire them for any but the most menial types of work.

Unfortunately, many members of minority groups do not equip themselves with the skills that are demanded by changing industrial techniques. This is certainly due in part to lack of motivation which may itself result from a life ringed in by discrimination. It is, however, too often a result of discrimination in education and training. For example, the variety and type of vocational education courses offered at Negro schools are often quite different from those offered at white schools—Negro students being offered training only for those jobs in which they have traditionally been employed, such as semiskilled and service occupations, rather than for those more highly skilled jobs where openings exist and continue to increase. Similarly, discrimination against them with respect to apprenticeship training programs often results in absolute exclusion. Moreover, in those areas where restrictions are the most severe—in the building trades and machinists crafts—employment opportunities are expected to increase most rapidly.

Vocational training received through the public schools, and made possible by Federal grant funds, is the principal means of acquiring many of the basic industrial skills. Therefore the ability of members of minority groups to obtain employment in skilled jobs is often limited by the availability of these programs. To the extent that minority group members are denied the opportunity to receive such training, they are deprived of equal opportunity for employment.

In spite of a declared policy that "there shall be no discrimination because of race" in the administration of federally aided programs of vocational education, a great deal appears to exist. Federal funds in some places support vocational education that is not only strictly separate but palpably unequal even in relation to current employment opportunities for Negroes. Moreover, the pattern of vocational education supported by Federal funds adopts the discriminatory employment patterns of the past and perpetuates them for the future by denying to Negroes the opportunity to obtain training in new fields. To the extent that openings for Negroes do occur in these fields, there are few who are trained to fill them. The circle of discrimination is complete—few are qualified because few will be hired; few will be hired because few are qualified.

Wanted: More Negro Apprentices at Washburne Trade School—A Study Initiated and Prepared by the Chicago Area Chapter, Negro American Labor Council, in Cooperation With the Chicago Committee of Racial Equality, June 1961

While a person can make much progress in industry without having gone through a formal apprenticeship, studies show that apprenticeship is a significant aid to advancement both in pay and in responsibility. With automation the advantages are expected to increase.

The comptroller of a large national organization with headquarters in Chicago went to considerable trouble to assist his son to enter upon a typographer's apprenticeship. A University of Wisconsin study of 340 men who had completed apprenticeships during 1940–41 found that "nearly 35 percent had moved to management level positions during the first 5 years of their status as skilled workers." The writer of this Wisconsin doctoral dissertation had himself been an apprentice.

Yet the estimated number of Negro apprentices in May 1961, in 12 trades of Chicago's publicly supported Washburne Trade School, made up only 1 percent of those trades' 1960 enrollment of over 2,600.

Trade	1960 apprentice enrollment [1]	Estimated Negro [2]	Trade	1960 apprentice enrollment [1]	Estimated Negro
Carpenters	241	0	Plasterers	49	5
Electricians	713	10	Patternmakers	29	0
Plumbers	312	3	Sprinkler fitters	65	0
Machinists	157	0	Typographers	203	2
Sheet metal	270	0	Linotype	14	4
Pipefitters	323	----------			
Painters and Decorators	159	2	Total	2,682	26
Lathers	147	0			

[1] Leaflet issued by Washburne Trade School, 3233 West 31st St., Chicago, Ill.

[2] In May 1961.

The underrepresentation of Negroes among apprentices is not peculiar to Chicago. "Apprentices, Skilled Craftsmen, and the Negro: An Analysis" New York State Commission Against Discrimination, 270 Broadway, New York City, N.Y. 1960, page 15; "Currently, about 2 percent of the approximately 15,000 registered apprentices in New York State are Negro."

Why are there so few Negroes among apprentices? Is it because Negro young people want to go to college? And despise the blue-collar jobs? Is it because they cannot live on the low pay at the beginning of the apprenticeships? Or because they lack friends and relatives in the trades to tell them about the openings and help them get accepted? Or because the poor schooling in de facto segregated schools prevents them from qualifying? Or does racial discrimination keep them out altogether either because the contractors will not hire them or their names disappear into waiting lists of the joint apprenticeship committees and fail to come forth?

All these are causes. The numerous and complex factors which account for the small number of Negroes in the skilled trades are well described in three studies. Harry Kursh, "Apprenticeships in America," W. W. Norton & Co., Inc., New York, 1958, is subtitled "A Guide to Golden Opportunties in Industry for Students, Parents, Teachers, Guidance Counselors, and Leaders in Education, Labor and Industry." Its Chapter 8: The Negro and Apprenticeships, has two subheadings: "The Penalty Against the Nation" and "What the Negro Apprentice Should Do." The University of Wisconsin study of the 340 skilled workers was found on pages 33–34 of this book.

"The Negro Wage Earner and Apprenticeship Training Programs: A Critical Analysis With Recommendations," Labor Department, National Association for the Advancement of Colored People, 20 West 40th Street, New York, N.Y., February 25, 1960, is available free on request.

Also free is the above-mentioned study of the New York State Commission Against Discrimination. This is a scholarly analysis covering the history and significance of apprenticeship in the United States as well as in New York State.

John A. Lapp, "The Wasburne Trade School," Fred Klein Co., Chicago, 1941, expresses no recognition of any racial problems but is informative for the establishment and early history of the various apprentice trade courses in the public schools.

A study which is important as showing the future needs in the various trades is "Vocational and Technical Education in Illinois, Tomorrow's Challenge," Bureau of Vocational Research, College of Education, University of Illinois, Urbana, 1960.

The present paper is a practical application of this background information to the problem of enabling more Negroes to become apprentices at Washburne Trade School.

Apprentices enter Washburne Trade School, as a rule, through the joint apprenticeship committees of the union and the industry, although they may also come directly to the school from the employer. The school assumes no responsibility for the selection of apprentices.

Therefore the first step is to locate the source of apprenticeship information in the particular industry.

Trade	*Apprenticeship committee or other informant*
Carpenters	Charles A. Thompson, 12 East Erie St. (11)
Electricians	Ralph Thompson, 228 North La Salle St. (1)
Plumbers	Lamb, 1340 West Washington (7)
Machinists	IAM Lodge 113, 5247 West Madison Ave. (44)
Sheet Metal	Kaberlein, 3350 West Jackson Blvd. (24)
Pipefitters	Bielke, 228 North La Salle St. (1)
Painters & Decorators	Vyt A. Lubert, 430 North Michigan, Room 810
Lathers	James Hamilton, 3233 West 31st St. (23)
Plasterers	Hughes, 330 South Marshfield (2)
Patternmakers	Gotham, 105 West Arams (3)
Sprinkler Fitters	Charles Schwab, 910 West Monroe St. (7)
Typographers	Frank O'Connor, 12 East Grand Ave. (11)

For the information given by these sources comes the following tabular overview of the various trades below.

Trade	1st step	Years	Starting wage	Age	High school diploma required
Carpenters	Get a job	4	$2.05 per hour	17 to 25	Yes.
Electricians	Get application from joint apprenticeship committee.	4	$1.94 per hour	17 to 21	Yes.
Plumbers	do	5	(?)	16 to 25	Yes.
Machinists	Get a job	4	$1.80 per hour	18 to 21	Yes.
Tools and die-makers.	do	5	$1.80 per hour	do	Yes.
Sheet Metal	do	4	$1.92 per hour	do	Yes.
Pipefitters	Get application from apprenticeship committee.	5	$2.10 per hour	do	Yes.
Painters and decorators.	Get a job or apply to coordinator at Washburne.	3	$1.53 per hour	18 to 25	Yes.
Lathers	Apply at union and get a job	3	$1.92 per hour	17 to 27	Yes.
Plasterers	Send to joint apprenticeship committee for application and state if you have a contractor to hire you.	4	Just under 2	17 to 25	No.
Patternmakers	Apply to joint apprenticeship committee.	5	$1.87 or less	17 to 21	Yes.
Sprinkler fitters	do	4	$2.15 per hour	18 to 25	No.
Typographers	Get a job as miscellaneous help in typesetting shop.	6	About $61 for 36¼-hour week.	18 up	Yes (a few not).

First there must be Negroes seeking apprenticeships. Most of the informants state that there have been few or no Negro applicants. Those who apply often have no idea of the length of the apprenticeship, the starting pay, the requirement of a high school diploma. When the waiting list and these other requirements are brought to the attention of the applicant he usually does not return.

Since the Negro young person does not, as a rule, have friends or relatives in the trade, he would be likely to hear of opportunities for apprenticeship only through his school. An interview of a recent graduate of Washburne revealed that he had become an apprentice through prior work in the high school print shop and referral by the school. A source of Negro electrician apprentices is a shop employing Negro electricians who have recently been admitted to the union. In some trades there are a few Negro contractors who employ apprentices. For the most part, however, it appears that the best chance for the Negro to be hired and apprenticed is in a large shop. Large shops are almost certain to be white owned.

Unfortunately, most schools do not mention apprenticeship in their literature. They speak of college or a job after high school. If the upper grades and high schools, general and vocational, would include apprenticeship in their materials and counseling programs, the first barrier to Negro apprenticeship would be removed.

In the foregoing tabular overview of the 12 skilled trades under consideration the first step varies. In some the first step is to get a job; in others the joint apprenticeship council or committee sends out the would-be apprentice to a trial period on a job. In most of the trades in which the first step is to get an application from the joint apprenticeship committee, it is best to be able to mention a prospective employer. Whenever the first step is to get a job, the problem is where. Most trades have between 500 and several thousand shops or contractors. Yet, of these, perhaps only 100 or 150 hire any apprentices. How is the young person to know which of the names in the telephone red book might hire him?

If the Washburne Trade School would publish a list of the contractors or shops placing apprentices with them annually in the proceedings of the board of education and make these lists available to high school counselors, the problem of knowing where to start would be greatly simplified.

The waiting list of the joint apprenticeship committee may be another barrier for Negro apprentices. The waiting list may be a bona fide list arranged in order of apparent competence after tests and interviews, or it may be merely a device to discourage unwanted applicants. In the latter case, anyone who applies may be put on the list and then those with "pull" may be selected from it and sent to jobs.

In view of the possible lack of standardized, objective procedures, subject to review, on the part of some apprenticeship committees, it would seem advisable for Negro applicants to consult the Chicago Urban League before and after filing applications.

In only one trade, the Lathers, was the requirement of sponsorship by one who had been a journeyman member of the Chicago local union for at least 5 years found. In most trades, the apprenticeship was theoretically open to everyone on the basis of ability. In a number of trades it was said that the tendency for sons and other relatives of members to fill the apprenticeships was declining.

The problem of qualifying was thought to be the bottleneck for Negro apprentices in the Typographers. It is now said to be relatively easy to get hired as miscellaneous help in a shop. But only a few of these are chosen and qualify for the 6-year Typographers' apprenticeship. A substantial percentage of these apprentices are college graduates and almost half have at least some years of college training. It is preferred that the apprentice shall have taken in high school algebra, plane, and, hopefully, solid, geometry, as well as many English courses. On the other hand, a few apprentices have not graduated from high school. They must, however, attend night school and produce a high school diploma or its equivalent at an appropriate point in the apprenticeship. A factor favorable to Negroes in this trade is the absence of an age limit. It was recalled that one apprentice had started at 40.

In a number of trades high school shopwork, courses in blue print reading, and mechanical drawing were favorable points.

Only one union informant reported the continuous presence of Negroes in the union and among its officers over the years both in Chicago and in the South. This is the Plasterers' Union It is interesting to note that this is the only trade among the 12 studied in which the estimated percentage of Negro apprentices is relatively high—10 percent. It was stated that the union had had a clause in its bylaws for over 30 years—it was not known when it was adopted—providing that anyone practicing racial discrimination must come before the executive board.

It is shocking to find the number of Negro apprentices at Washburne so small with none at all in 7 of the 12 trades studied. To change this situation, the remedies already suggested might be tried, namely information placed before the upper grade and high school students by school brochures and counselors, the lists of the contractors sending apprentices to Washburne Trade School to be made public, the Negroes seeking apprenticeships to consult the Chicago Urban League.

A further step which might open up many practical possibilities would be to interview the Negro apprentices now at Washburne as well as a number of the white apprentices.

NOTES ON PROBLEMS OF NEGRO EMPLOYMENT—ORIENTATION MEETING, CHICAGO URBAN LEAGUE EMPLOYMENT AND GUIDANCE ADVISORY COMMITTEE, AUGUST 20, 1964

(Prepared by Research Department, Chicago Urban League with the Cooperation of Mr. Frank Cassell, Chicago Urban League Board of Directors)

Within recent weeks, the Research Institute of America has issued a series of recommendations concerning business in the next 15 years. With respect to unemployment, this is what they say.

What most people overlook is that the "civil rights crisis" came about not just because of the 1954 Supreme Court decision but also because of a "Negro depression" which started roughly 3 years later.

The Negro—usually the last in the work force—became the first to be squeezed out of his newly-won job. The Negro community's "great depression" has persisted ever since—that is, a jobless rate of 10 percent to 20 percent, chronic joblessness among youths and young heads of family.

Those employed in automation's main line of fire, i.e., the unskilled and the semiskilled, the jobs in which Negroes are concentrated, will be hardest hit.

There's an irony in this for the Negro: He may be winning the right to get a job at just the time when the job itself is disappearing.

Unless present trends are reversed, the Negro is less likely than anyone else to hold the job he has, less likely to get one in the professional and technical areas, less likely to get the skills necessary to compete for manufacturing jobs that will survive automation.

While the job problem will create anxiety for the Nation, it will spell desperation for the Negro. And what he does in that desperation will leave its mark on the face of the future.

These are the employment and economic conditions that the Negro faces today.

Although the economic position of the Negro is improving, it is not improving as fast as that of whites. In Chicago, the median income of Negro families declined from 70 percent of white family income in 1956 to 65 percent in 1960.

The Negro male college graduate earns less than the white high school dropout.

Here are a few comparisons of median incomes in Illinois in 1959:

	All males	Males, nonwhite
4 years or more of college	$8,183	$5,196
4 years of high school	5,892	4,423
1 to 3 years of high school	5,465	4,097
Elementary school graduate	4,522	3,767

But note this—the median income of high school dropouts (1 to 3 years of high school) was $5,465. Compare this with a median income of $5,196 for nonwhites with 4 or more years of college.

At every occupational level nonwhites earn less than whites. In 1959, Negro laborers earned $200 less annually than the average laborer; the Negro male professional, $2,000 annually less and the Negro male manager, $3,000 less.

Another dimension of the Negro's economic position is his unemployment and this is not improving.

In 1960, his unemployment was three times of the white.

The differential between white and nonwhite rates of employment has widened since 1948.

[In percent]

	1948	1953	1958	1963	July 1964
White	3.2	2.3	6.1	5.1	4.3
Nonwhite	5.2	4.1	12.6	10.9	10.9

Unemployment rates of Negroes are higher than whites at every occupational level from professional to unskilled in Chicago.

Fifty-seven percent of Illinois nonwhite jobseekers were between the ages of 25 and 44, the prime labor force group.

In the city of Chicago, Negro unemployment rate continues to be almost three times that of the white rate. The most recent Illinois figures show a Negro unemployment rate of nearly 10 percent, as compared with a white unemployment rate of 3.7 percent.

What are the skill characteristics of the Negro worker?

Fifty-three percent of Chicago nonwhite employed workers are operatives, service workers and laborers as compared to only 32 percent of the white workers.

Nationally, 34 percent of the white males (between 16 and 21 years) were white-collar workers and craftsmen as compared with on 16 percent of the nonwhite males.

Sixty-seven percent of the white females (between 16 and 21 years) were white-collar workers as compared with only 23 percent of the nonwhite females.

Negro workers work in the occupations which are most readily automated and which most rapidly become obsolete.

The Negro college graduate generally receives his professional training in such fields as teaching, music, sociology, health and social work. These are the fields which have traditionally offered the best employment opportunities to Negroes. Business is not generally receptive to hiring graduates in these fields.

The Negro comes to the labor market handicapped with less education and training.

While 43 percent of the Chicago area population over 25 are high school graduates or better, nonwhites with similar education constitute only 29 percent of the nonwhite population over 25.

While 8 percent of the total population are college graduates, only 4 percent of the nonwhite population are college graduates.

Negro participation in on-the-job and management training has been quite limited. Negroes are virtually excluded from apprenticeship training programs. What training is attained is obtained in inferior institutions.

The recently published Hauser report documents that the education which Negroes receive in Chicago, as measured by achievement levels, is inferior. In all-white schools, the average ninth grade reading score is 12 points above the city median while in all-Negro schools, it is 27 points below.

The Hauser report also concluded that de facto segregation in Chicago public schools contributed to the inequality of educational opportunity.

In addition to inadequate education and training, the Negro faces racial discrimination. Some of the measures of racial discrimination are:

In 1959, there was a 13-percent difference in hourly earnings between Negroes and whites directly attributable to current discrimination.[1]

Among recent high school graduates not enrolled in college in 1963, only 20 percent of the nonwhite males held white-collar jobs compared to 29 percent of the whites. Among females, only 35 percent of the nonwhites held white-collar jobs compared to 78 percent of the whites.

Nonwhite graduates not only had an unemployment rate more than twice that of the white graduates in October 1963, but their rate of unemployment was also higher than that of white youths who did not complete high school.

In 1962, private firms holding Government contracts in the north-central region had only 3 Negro male white-collar workers per 1,000 male white-collar workers while the comparable firms in the southern region had 7 Negro males per 1,000 male white-collar workers.

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[1] James M. Morgan, et al., "Income and Welfare in the United States"; McGraw-Hill Book Co., Inc., New York, N.Y.

Chicago private firms holding Government contracts employ over 50,000 white-collar workers. Between 1962 and 1963, these firms had a net increase of only 64 Negro white-collar employees.

Changes in job mix is another factor in the Negro employment problem.

The symbolic turning point is 1956—white-collar workers outnumbered blue-collar workers.

By 1970, there will be 25 percent more white-collar jobs than blue-collar jobs.

The fastest growing group is that of professional and technical employees—rising from 5 million in 1950 to 7½ million in 1960 to 10 million in 1970.

The displacement created by automation, the "upgrading" of jobs, and the rise of technicians, all constitute a new "face" in the industrial labor force.

The specific employment problems of Negroes are complicated by the dramatic increase of young workers in the 1960's.

During the present decade, 26 million young people, 3.5 million of whom are Negroes, will become first-time jobseekers. This compares with 19 million during the 1950's.

Of the 26 million youths coming into the labor force, 5 million will not have graduated from high school. Two million more will have had, at most, only an eighth grade education.

Negroes in Chicago have a dropout rate double that expected in the Nation during the 1960's and more than double that of whites in the city. In some all-Negro shools in Chicago, the dropout rate may run as high as 80 percent.

There are 350,000 Negroes currently in the Chicago area labor force.

Thirty-five thousand of them are unemployed and seeking work.

Nineteen thousand are involuntarily on parttime.

Forty thousand are working below their current skill levels.[2]

In addition, there are 15,000 Negroes who are discouraged workers and are not in the labor force. Because of the frustration of past and present racial discrimination and long histories of unemployment, they are no longer actively seeking work.[3]

Of those looking for work, the Illinois jobseekers survey, in 1961, showed that in Illinois 40 percent of the nonwhites had an eighth grade education or less. Another 34 percent did not complete high school. The survey also found that 81 percent of the State nonwhite jobseekers had semiskilled, unskilled and service occupations.

In spite of the fact that most Negro jobseekers are unskilled and have little education, in absolute numbers there are many well-trained Negro jobseekers.

In 1964, in Chicago, there were 4,600 Negro high school graduates. Half of them (2,300) have or will enter the labor force on a full-time, permanent basis this year. Most of the others will go on to college.

The Chicago Urban League's talent and skills bank currently has on file persons with the following occupational background and training:

Occupation:	*Number of applicants*
Professional	141
Clerical	512
Sales	54
Skilled	32

The employment and guidance advisory committee of the Chicago Urban League is confronted with the following tasks.

Upgrade those working below their capacity and who are probably educated in nontechnical and/or nonbusiness fields.

Apply imagination in the employment of people not specifically educated for business.

Develop and demonstrate the desirability of business training at the professional level to the Negro community, especially its youth.

Develop preemployment and postemployment training programs which will help Negroes qualify for jobs which demand more skills.

Increase the number of employers who are willing to adhere to equal employment opportunity at all levels.

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[2] The estimates of Negro employment at and below current skill levels are based upon the assumption that whites are employed 100 percent at their current skill level. To the extent that some whites are employed below their skill level, the Negro percentage in the category "employed below current skill level" would go up and the percentage in the category "employed at current skill levels" would go down.

[3] The estimates for discouraged workers are based upon the assumption that there are no discouraged workers among whites. To the extent that there are some discouraged white minority groups, the percentage of Negro discouraged workers would go up.

Look for employees in places where you have a good chance of finding Negroes with the qualifications you are seeking.

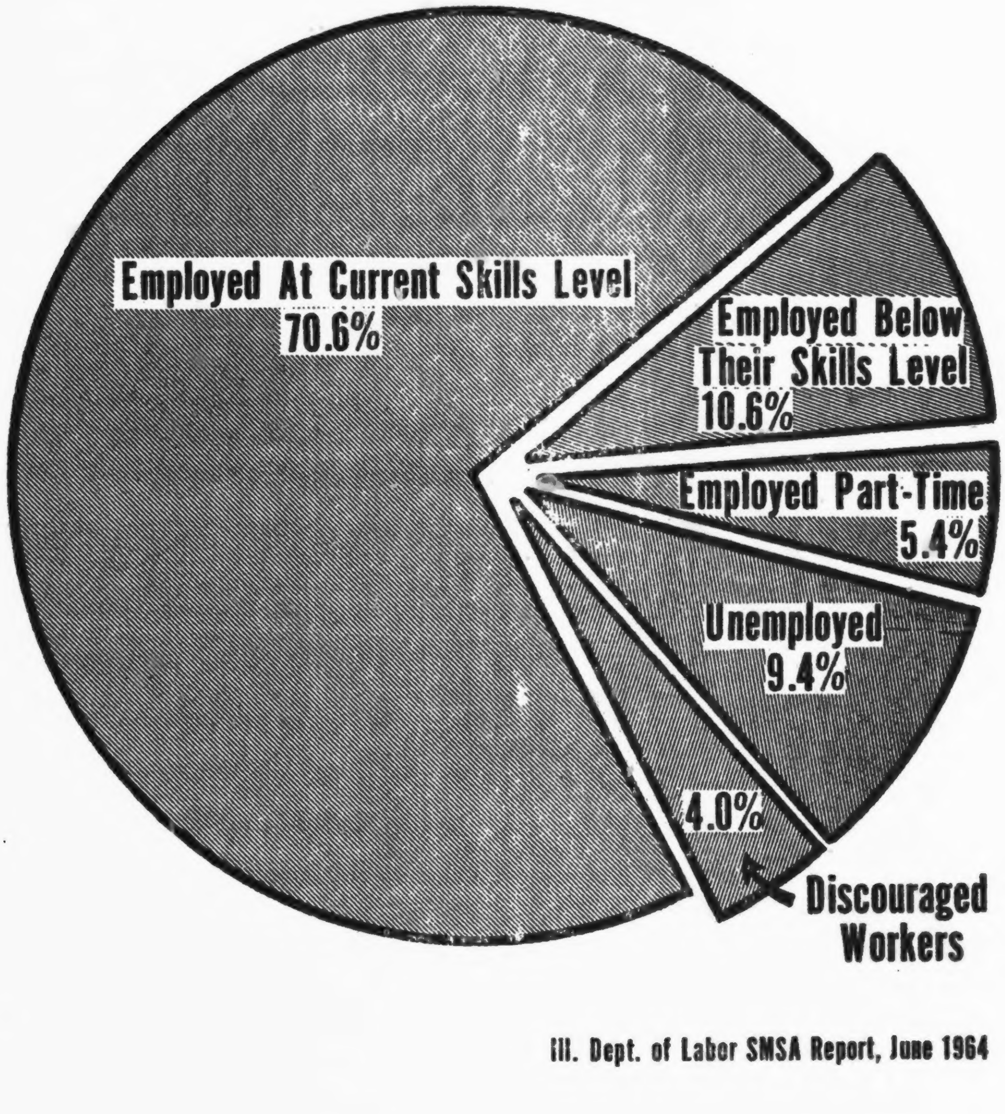
Make a greater effort in upgrading Negro employees who are already at work. Review in your own organization to see if Negroes have qualified for better jobs through further education.

Work to see that quality public education is provided all children.

Some of these tasks refer to things that can be done within your own company. Some tasks are things that you can bring to the attention of other employers. Other tasks require work in the community at large. You can help the Chicago Urban League in all of these tasks, and the Chicago Urban League can help you.

Chart I

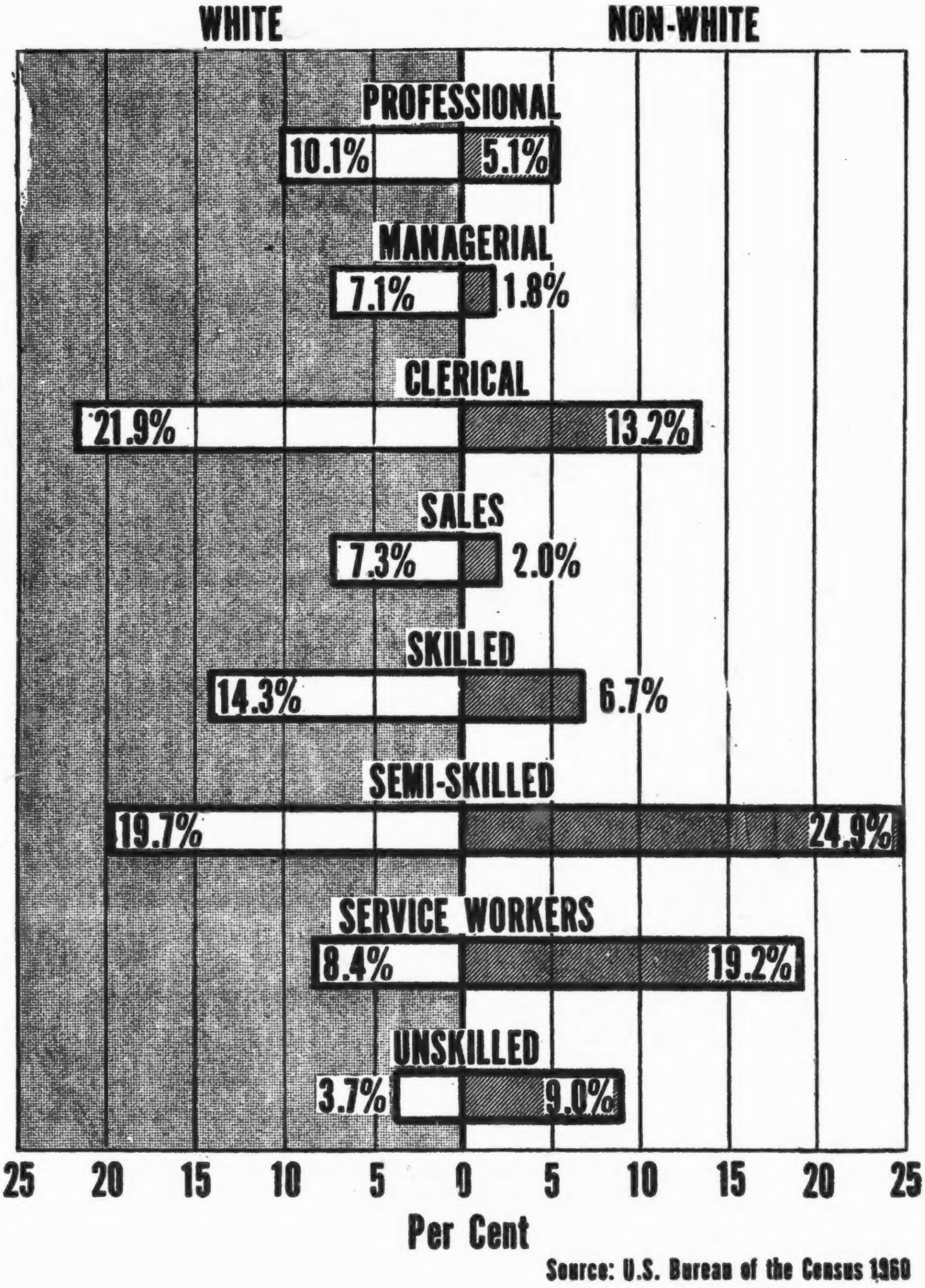
POTENTIAL CHICAGO NEGRO LABOR FORCE
JUNE, 1964



Ill. Dept. of Labor SMSA Report, June 1964

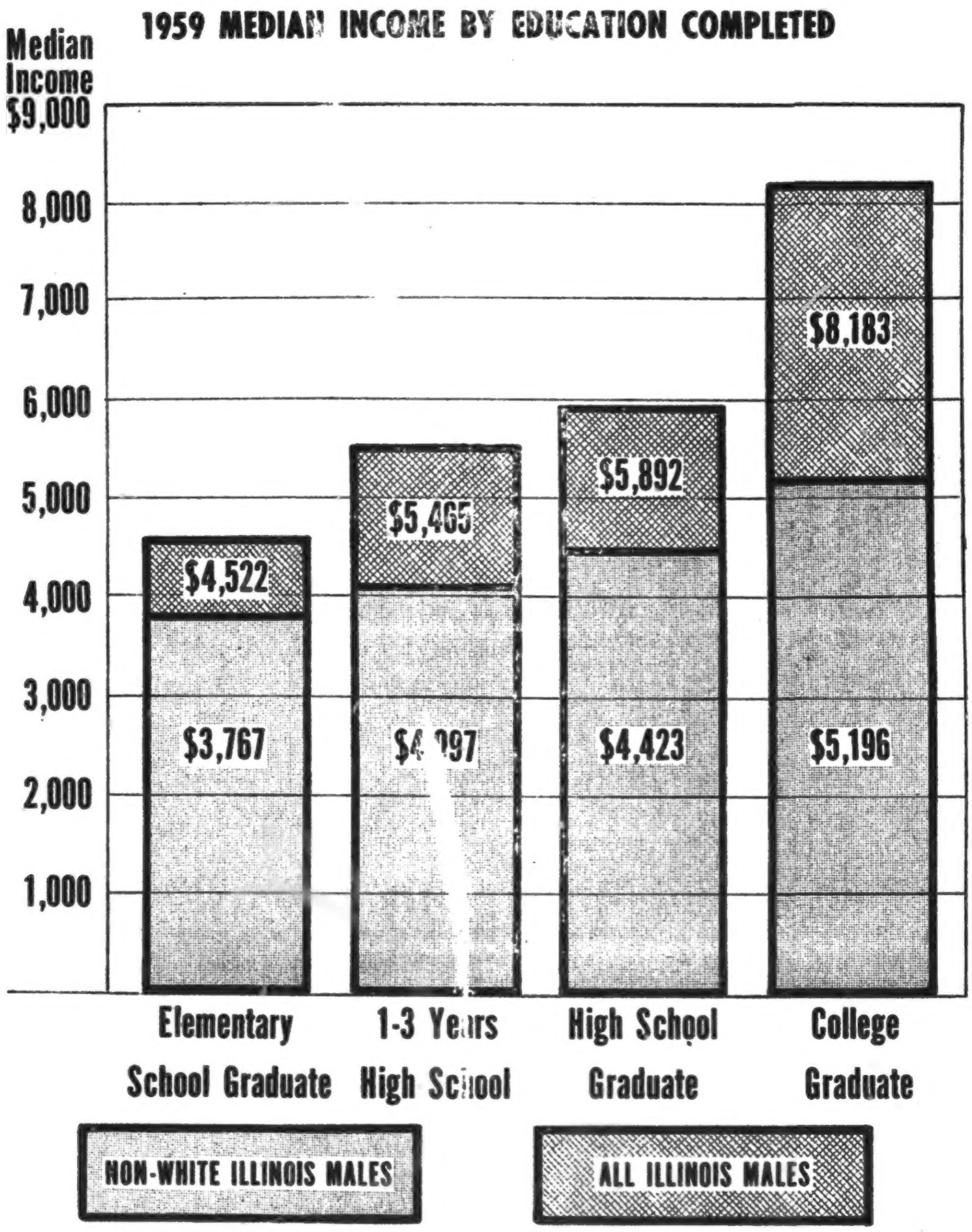
Chart II

EMPLOYED WORKERS FOR SELECTED OCCUPATIONAL GROUPS CHICAGO, 1960



Source: U.S. Bureau of the Census 1960

Chart III



Source: U.S. Bureau of the Census 1960

EXCERPTS FROM "NEGRO UNEMPLOYMENT—A CASE STUDY" NEW UNIVERSITY THOUGHT (SEPTEMBER–OCTOBER 1963)

(By Harold Baron)

"In the past decade there has been considerable pressure in the North for State and local laws to protect against discrimination in housing and employment, and this has recently been expanded into a massive assault upon de facto school segregation. However, where sucesses have been achieved in changing law or public policy, the most that has been actually gained is tokenistic breaches of racial barriers. Statutory remedies that rely on individual complaints by aggrieved parties are slow and permit many subtle subterfuges on the part of the discriminators. Relatively few individuals receive better jobs or housing under the protection of these measures, and the basic pattern of second-class status remains unchanged. There is little or no evidence that ghettoes are disappearing. The relative gap between Negro and white family income has increased since the midfifties, indicating that Negro family income has not grown at the same pace as that of whites.

"The Kennedy administration, under pressure from action in the streets, has agreed to act in support of equality before the law, but it feels powerless to support real equality for Negroes. The Attorney General, Robert Kennedy, informed James Reston of the New York Times of the administration's puzzlement over ways to deal with the 17 percent rate of unemployment among Negroes in Chicago. An administration official stated the matter more succinctly to the Times. As he put it, 'you can desegregate a theater in Tallahassee much more easily than you can reduce the unemployment rate among Negroes in Chicago.'

"If we want to find the elements in the status of the Negroes that are not susceptible to alteration without other far-reaching social changes, a hard look at economic conditions in the North might well tell us more than an examination of legal conditions in the South. Within this framework of understanding about the general nature of the civil rights movement, the following portrait of the anatomy of unemployment in Chicago can shed perspective on the future. I choose Chicago because I have known it intimately over the past decade, and I have studied it professionally over the past 2 years."

* * * * * * *

FOCUS ON CHICAGO

"With this background, let us focus on Chicago. In 1960, there were 813,000 Negroes in the city of Chicago, constituting 23 percent of the total population. There were 890,000 Negroes in the Chicago metropolitan area, comprising 14 percent of the total population. The Negro population of the area has grown rapidly, increasing more than threefold over the past 20 years.

"Labor force characteristics are reported for nonwhite; since Negroes constitute 97 percent of the nonwhites in Chicago, we can use the terms synonymously. Based on the 1960 census, there were 320,000 nonwhites in the labor force in the city, or slightly over 20 percent of the total. However, by government measures almost 43 percent of the unemployed were Negro. In the metropolitan area, nonwhites comprised 14 percent of the labor force and 35 percent of the unemployed. The 1960 measure was made in a period of economic recovery. In the recession during 1961, the Illinois State Employment Service made a survey of jobseekers. This study clearly indicated that Negroes were much harder hit by the recession, as the Negro proportion of the unemployed in the metropolitan area had risen to 40 percent of the total.

"These figures indicate that Negro workers have a very high rate of unemployment. In the city, the nonwhite unemployment rate for 1960 was 11.5 percent—1 out of every 9 nonwhite in the labor force was out of a job. This compares to 3.7 percent unemployment for whites at that time. A metropolitan comparison shows a slightly greater disparity: 11.1 percent unempolyment for nonwhites compared to 3.1 percent for whites. Negro unemployment in Chicago is close to four times as great as that for whites, while nationally the ratio is only a little over 2 to 1. During the recession of 1961, our estimates (based on the data in the Illinois State Employment Services special survey) indicate that in the metropolitan area, Negro unemployment rose to a rate of 15 percent while unemployment for white remained below 4 percent. The 1963 situation is likely to approximate that of 1960, as the total unemployment rate for the area is virtually the same for both years.

"As shocking as these racial disparities are, they tell only a portion of the tale. The Government concept of unemployment is a labor market concept. i.e., it counts as unemployed only those persons who are actively seeking jobs. It is not a social concept of unemployment; it does not include those people who would be in the labor market if they thought they had a chance of obtaining a job. This group has been aptly called 'discouraged workers,' discouraged because they have been rebuffed so often. I have seen these men and heard their stories many times. On the basis of 1960 census data, I have made estimates of nonwhite male discouraged workers. These calculations showed that in the city of Chicago there were 12,000 nonwhite male discouraged workers—over 5.5 percent of the nonwhite male labor force. If these men are added to the 21,400 unemployed men, we get a total of 33,400 or over half the unemployed men in the city. Using a social definition of unemployment which includes the discouraged workers, we arrive at an adjusted 1960 unemployment rate for nonwhite males of 16 percent. When the estimate is made on the basis of data for the metropolitan area, the figure rises to 17 percent. A further adjustment for the racial differential in part-time employment would add about 1 percent to the above figures. This is hardly prosperity for the Negro community, with over 1 out of every 6 men who could be working out of a job. The impact on the individual, the family, and the community is devastating. For example, 1 out of every 4 Negroes in Chicago receives some form of public welfare assistance.

"In contrast to this situation, the white worker in Chicago is virtually untouched by unemployment. Most current prescriptions for full economic growth of the national economy assume a minimal unemployment rate of between 3 and 4 percent. Chicago's white workers are already in this favored category. If we eliminate the problems of the unemployment of youths and older workers by considering only the workers in the prime age range of 25 to 44, we find that white workers are even better off: white males in the Chicago metropolitan area in this age category rate an unemployment rate of only 2.2 percent—which is pretty close to minimal frictional unemployment in an economy undergoing rapid technological change. The nonwhite male of prime age is by no means so favored; his labor market rate of unemployment is still 10 to 16 percent according to our social definition of employment.

"In addition to the unemployed, there is the problem of marginally employed workers. These are people on part-time employment for economic rather than personal reasons, or full-time employees holding jobs that do not provide a living wage. I have used $1.50 an hour for full-time employment as the dividing line in measuring a living wage. Again, I based my calculations on males in the prime age range of 25 to 44 in order to eliminate extraneous factors. Thirty-one percent of the nonwhite males in the metropolitan area fall in this marginal category, as compared to only 13 percent of the whites. A considerable portion of the unemployed (about 60 percent of the total unemployed) are also included within this group.

A BLEAK FUTURE

"The overall high rate of unemployment in the Negro community means there are extensive areas within the ghetto in which unemployment is practically a way of life. In 31 virtually all-Negro census tracts (the city is divided into about 900 census tracts for purposes of enumeration), the measured rate of unemployment is over 15 percent, while there are only 3 all-white census tracts with unemployment this high. Public housing projects today are special concentration points for Negro unemployed. Ninety-two percent of the families are Negro, and 40 percent of the families receive unemployment benefits or welfare assistance. In addition, Negro areas of high unemployment are invariably areas of low income, while many of the areas of relatively high white unemployment have average incomes well above the citywide average for Negroes. Negro unemployment, therefore, falls upon communities of friends and families who have no resources with which to render aid, whereas white unemployment frequently occurs in the midst of a community which can provide private support.

"This picture of Negro unemployment in Chicago in the early 1960's is basically unchanged from the situation as reported in the census of 1950. The concentration of unemployment among Negroes has evidently remained constant over the decade, and the relative position of the poorer Negroes has even declined. Perhaps the most amazing thing is that in the midst of all this social agony no voice of protest has arisen.

"The future looks bleak indeed. Chicago, like the Nation, has a problem of a slow increase of jobs. In the Chicago metropolitan area, the increase in employment during the last decade has averaged only 15,000 jobs per year. In the last 5 years there has hardly been any increase at all, and within the city itself, employment during the last 5 years has declined at the rate of 30,000 jobs a year.

"Labor force projections based on current population trends indicate that there will be 450,000 more workers in the metropolitan area in 1970 than there were in 1960. One-third of these additional workers will be nonwhite. Yet, current trends of job increase would indicate only 150,000 new positions by 1970. Even if these projections contain considerable error, no one can escape the conclusion that unemployment in Chicago will reach catastrophic proportions unless some basic changes are instituted in economic policy.

WILL THE UNEMPLOYED ACT?

"Let us return to the Negro revolt. Can it cope with the current problems of the 50,000 to 60,000 Negroes in Chicago without jobs? Will it be able to cope with the problem of 150,000 additional Negro workers entering a virtually stagnant labor market? Certainly the current programs and demands of the civil rights groups do not answer these questions.

"The current high rate of Negro unemployment and the prospect of increasing unemployment for both Negroes and whites obviously poses a problem to the civil rights movement. Within this situation the demand for equal employment opportunity is insufficient. (The current tokenistic rate at which the white power structure, or power structures, are acceding to the demand is insufficient on any count.) The goal of equal employment opportunity does not take into account the prospect of Negroes and whites competing for relatively fewer jobs. Dividing the pie into equal shares becomes a real problem when the pie is not large enough.

"Mrs Joan Robinson, the Cambridge University economist, has pointed out that in the era of post-World War II prosperity, serious unemployment has been concentrated in geographically or socially isolated elements of society. John Dunlop of Harvard has called this same phenomenon "the balkanization of the unemployed." This isolation of unemployment has prevented it from becoming a national political question. The northern Jim Crow system has created such strong social barriers for the unemployed Negroes in the great industrial centers that their plight has been bottled up within the Negro community.

"In the past decade, the Negro unemployed have experienced depression conditions in the midst of prosperity without making an effective social protest. The society at large has only related to them as public wards of welfare programs, and these public dependents have been further isolated by social stigmatization * * *."

STEP RIGHT UP FOLKS!!

MAKE YOUR RESERVATIONS NOW!

FOLLOW THE CROWD TO THE

CHICAGO TEACHERS UNION'S

DINNER-THEATRE PARTY AND DANCE

CANDLELIGHT THEATRE

5630 South Harlem Avenue, Summit, Illinois

SUNDAY, MAY 23, 1965

GET THE GANG TOGETHER -

IT'S THE BEST PARTY EVER -

DINNER (5:30-6:30 P.M.)

THEATRE (7:30 P.M.)

DANCING (10:00 P.M.)

(Tax, Tip and Parking Included)

Tickets $6.50 per person

SEE YOU THERE !!!

oeiu-28-EM
4-7-65

Please
Post

City of Chicago,
Commission on Human Relations,
Chicago, Ill., December 2, 1963.

To His Honor the Mayor and the Honorable Members of the City Council:

The attached summary responds to the resolution passed by the city council on October 18, 1963, seeking information about racial, religious, and nationality membership in various trades. Our summary contains all available information received from 44 unions representing the trades which, according to the office of the budget director, are covered by prevailing wage ordinances.

The organizations, in general, were cooperative. They maintain that they do not keep records containing the information requested in the resolution, and thus could not, except in some instances, provide us with specific figures. Most unions were willing to state generally whether or not their membership was representative of the city's population in terms of race, religion, and national origin.

I

A. The following unions indicated that they had Negro journeymen and/or Negro apprentices (where joint union-management apprentice programs were operating):

International Union of Operating Engineers, Local 150.
Water Pipe Extension, Bureau of Engineering Laborers, Local Union 1092.
State and Municipal Teamsters & Chauffeurs Union, Local 726.
International Brotherhood of Electrical Workers, Local Union 9.
Pointers, Cleaners & Caulkers Union, Local 52.
Construction & General Laborers' District Council of Chicago & Vicinity.
Cement Masons Union, Local 502.
Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers, Local Lodge 1.
Sprinklers Fitters & Apprentices Union, Local 281.
Painters District Council 14.
Chicago Typographical Union 16.
United Order of American Brick Layers & Stone Masons, Local 21.
Bakery & Confectionery Workers Union, Local 13.
Heat, Frost Insulators & Asbestos Workers, Local 17.
International Brotherhood of Electrical Workers, Local 134.
Glaziers Union, Local 27.
Wood Wire & Metal Lathers Union, Local 74.
Composition Roofers Union Damp & Waterproof Workers Union, Local 11.
Rubber & Plastic Workers Union, Local 82.
Inland Boatman's Union (formerly International Dredge Workers Union & Tug Firemen, Lineman, Oilers & Watchmen's Protective Association of America, Local 1).
Pipe Fitters Associated, Local 597.
Chicago Journeymen Plumbers Union, Local 130.
Sign & Pictorial Painters Union, Local 830.
Sheet Metal Workers & Sign & Bulletin Board Hangers Union, Local 73.
International Association of Machinists, Local Lodge 126.
Molders of Chicago & Vicinity Conference Board.
International Brotherhood of Boilermakers, Iron, Ship Builders & Blacksmiths, Forgers & Helpers Lodge 1005.
Cement Workers, Local 76.
Gardeners & Florists Union, Local 10615.

C. In spite of two letters, a telegram, and numerous followup visits by commission staff, the following union did not supply any information: International Association of Marble, Stone & Slate Polishers, Local 3.

II

Each of the unions claims to have journeymen who are members of the three major faiths, but none could supply us with even an estimated numerical breakdown or percentage. They could not give specific data concerning the national origin of their members, but again each union claimed to be broadly representative of Chicago's nationality group. Futhermore, all unions with joint apprenticeship programs maintained that the religious and national origins of their apprentices were representative of the city's national groups.

III

No information was available with regard to part 3 of the resolution, which called for "the number of nonunion workers in Chicago in the same work as union members or closely similar work, showing the distribution as to race, religion, or national origin." Except for a few unions which gave very vague estimates, both the unions and the employers' associations replied that they do not have such data, and the commision does not have such information available in its own files and surveys.

IV

Our method was to request, in writing, the information asked for in the resolution. We followed up with personal interviews and telephone calls to each union. We did not follow up our letters to 18 employers' associations, since those that responded unanimously indicated that they did not have the information sought by the resolution.

V

The commission is continuously gathering facts similar to what the city council resolution called for. We are able to supplement the information supplied by the unions with a survey conducted by the commission this year which relates to the employment practices of city contractors. As a part of our program to insure that companies doing business with the city (and other local government bodies) comply with the clause in their contracts prohibiting them from discriminating on account of race, color, creed, and national origin, we request certain information regarding their employment practices.

We have analyzed the information provided by 747 contractors during a 1-year period ending August 27, 1963, and found that 10 percent of the total work force of the 577 contractors located in Chicago was Negro. Of the total work force in the 170 contractors located outside Chicago, 7 percent was Negro. The commission concludes that the differences is a result of its more intensive work with the contractors located in the city. A breakdown of this survey is attached.

Sincerely yours,

EDWARD MARCINIAK, *Executive Director.*

Union replies about membership by race, religion, national origin

Union	Journeymen				Apprentices			
	Total	Race	Religion	National origin	Total	Race	Religion	National origin
Painters District Council 14 (including Glaziers Union, Local 27).	10,822	450 Negroes	All	All	153	15 Negroes	Representative	Representative.
Glaziers Union, Local 27	1,000	Some Negroes and American Indians.	Everything	Representative	12	No Negroes	Everything	Do.
Cement Masons Union, Local 502	2,160	Quite a few Negroes.	All	All	140	Some Negroes	All	All.
United Order of America Brick Layers & Stone Masons, Local 21.	6,000	Many races, including 200 Negroes.	Many	Many	150	"A number of Negro apprentices."	Many	Many.
Marble Cutters, Setters & Masons Union, Local 66.	100	All white	"Both Protestant and Catholic."	"Swedes, Norwegians, and everything."	2-3	No Negroes	"Don't know"	
International Brotherhood of Electrical Workers, Local 134.	[1] 8,800	200 Negroes [1]	Representative	Representative	600-700	25-30 Negroes	Representative	Representative.
Wood Wire & Metal Lathers Union, Local 74.	886	7 Negroes, some Indians, and Puerto Ricans.	do	do	47	No Negroes	do	Do.
Composition Roofers Union, Damp & Waterproof Workers Union, Local 11.	1,000	Some Negro members and other races.	"A League of Nations."	"A League of Nations."	125	Some Negroes	"A League of Nations."	"A League of Nations."
United Slate, Tile & Composition Roofers, Damp & Waterproof Association, Local 17.	52	No Negroes	"Catholics, Protestants, Masons, and maybe Jews."	All but 2 are U.S. born.	4	No Negroes	Unknown	All U.S. born.
Chicago Journeymen Plumbers Union, Local 130.	7,200	150 Negroes	Catholics, Protestants, and Jews.	Representative	500	Some Negroes	Catholics, Protestants, and Jews.	Representative.
United Brotherhood of Carpenters & Joiners of America, Chicago District Council.	31,000	Some Negroes and orientals and American Indians.	Virtually everything.	Reflects the population generally.	400	do	Virtually everything.	Reflects the population generally.
Journeymen Plasterers Protective & Benevolent Society, Local 5.	1,700	Some Negroes	Protestants, Catholics, Jews, and Orthodox.	Everything	30	do	Catholics, Protestants, Jews, and Orthodox.	Everything.
Bridge & Structural Iron Workers, Local Union 21.	2,274	No Negroes	"Everything under the sun."	do	43	No Negroes	"Everything under the sun."	Do.
Architectural & Ornamental Iron Workers Union, Local 63.	927	do	Representative	Representative	49	do	Representative	Representative.

See footnote at end of table, p. 339.

Union replies about membership by race, religion, national origin—Continued

Union	Journeymen				Apprentices			
	Total	Race	Religion	National origin	Total	Race	Religion	National origin
Sheet Metal Workers & Sign & Bulletin Board Hangers Union, Local 73.	5,000	3 or 4 Negroes	"We've got everything."	"We've got everything."	275	No Negroes	"We've got everything."	Representative.
Pipe Fitters Association, Local 597	[2] 8,300	More than 40 Negroes majority in shops.	Catholics, a few Jews, and other religions.	Representative	180	do	Catholics, a few Jews, and other religions.	Do.
Heat, Frost Insulators & Asbestos Workers, Local 17.	630	No Negroes	Representative	do	(3)	2 Negroes probationary members.	Representative	Do.
Sprinkler Fitters & Apprentices Union, Local 281.	228	do	A variety	A variety	46	1 Negro	A variety	A variety.
Pattern Makers League	938	do	Catholics, Protestants, maybe Jews.	Representative	49	No Negroes	Catholics, Protestants, maybe Jews.	
Molders of Chicago & Vicinity Conference Board.	2,200	"60 to 65 percent are either Negroes or P. Ricans."	Every religion	do	*30	15 Negroes	Everything	Representative.
Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers, Local Lodge 1.	1,565	Some Negroes	A variety	A variety	12	No Negroes	A variety	A variety.
Sign & Pictorial Painters Union, Local 830.	900	Several Negroes and some orientals.	Everything	Everything	15	do	Everything	Everything.
Bakery & Confectionery Workers Union, Local 13.	210	32 Negroes (30 helpers and 2 bakers).	A variety	Most United States born.	4–5	do	A variety	All United States born.
Chicago Typographical Union 16	5,609	Over 100 Negroes and some orientals.	All	All	278	5 or 6 Negroes	All	All.
International Union of Elevator Constructors, Local 2.[4]	910	No Negroes; 1 oriental.	do	do				
International Brotherhood of Electrical Workers, Local Union 9.[4]	1,500	"9 or 11 Negroes."	do	do				
Pointers, Cleaners & Caulkers Union, Local 52.[4]	830	16 to 20 Negroes	All	All				
Marble Setters Helpers, Local 102 [4]	50	No Negroes	Representative	Representative, including 2 Mexicans.				

Cement Workers, Local 76 [4]	600-700	36 percent Negro	"Everybody's in"	"Everybody's in"			
International Union of Operating Engineers, Local 150.[4]	9,000	"All races, including a considerable number of Negroes."	All	Most			
Construction & General Laborers' District Council of Chicago and Vicinity.[4]	25,000-30,000	Many Negroes	do	All			
Sewer & Tunnel Miners Union, Local 2.[4]	950	45 to 55 percent Negro.	Representative	Representative			
Water Pipe Extension Bureau of Engineering Laborers, Local Union 1092.[4]	850	10 percent Negro	A variety	A variety			
Inland Boatman's Union (formerly International Dredge Workers Union & Tug Firemen, Linemen, Oilers & Watchmen's Protective Association of America. Local 1).[4]	95	2 Negroes, maybe more.	Great diversity	Representative			
Licensed Tugmen's & Pilots Protective Association of America.[4]	700	No Negroes	A variety	A variety			
International Brotherhood of Firemen & Oilers, Local 7.[4]	3,000	20 percent Negro	Representative	Representative			
County, Municipal Employees' & Foremen's Union, Local 1001.[4]	4,000-5,000	45 percent Negro	All	All			
State & Municipal Teamsters & Chauffeurs Union, Local 726.[4]	3,000	⅓ to ½ are Negro	do	do			
Gardeners & Florists Union, Local 10615.[4]	480	49 Negroes	Representative	Representative			
International Association of Machinists, Local Lodge 126.[4]	1,250	Some Negroes	Virtually all	do			
Machinery Movers, Riggers & Machinery Erectors Union, Local 136.[4]	400	No Negroes	A mixture	Everything			
International Brotherhood of Boilermakers, Iron, Ship Builders, Blacksmiths, Forgers & Helpers, Lodge 1005.[4]	85	1 Negro (retired)	Almost everything	Almost everything			
Rubber & Plastic Workers Union, Local 82.[4]	331	90 percent Negro; some American Indians.	Have Jews, Catholics, Protestants.	Have Polish, Mexican, and Caribbean Islanders.			

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[1] "A" card.
[2] 1,500 in metal trades; 6,000 in building trades; 800 in shops.
[3] 120 improvers; 5 probationary members.
[4] No joint union-management apprentice program. Negroes have begun working as elevator constructor helpers, and will be eligible to join the union after a 6-month period.

RESOLUTION PASSED BY CITY COUNCIL, CITY OF CHICAGO, ILL.

Resolved, That the commission on human relations is hereby requested to obtain the following information from the respective unions and employers' associations (or employers) covered by the pravailing wage ordinance and by any other prevailing wage ordinances which may hereafter be presented in this calendar year:

(1) The total membership of the union as to race, religion, creed, and national origin; and, if there is more than one class of membership, the total distribution as to race, religion, creed, and national origin.

(2) The total number of union apprentices showing the distribution of members as to race, religion, creed, and national origin.

(3) The number of nonunion workers in Chicago in the same work as union members or closely similar work, showing the distribution as to race, religion, or national origin.

Passed by the City Council of the City of Chicago, Ill., October 18, 1963.

CITY OF CHICAGO,
COMMISSION ON HUMAN RELATIONS,
Chicago, Ill., June 5, 1964.

Mr. FRANK M. WHISTON,
President, Board of Education,
City of Chicago, Chicago, Ill.

DEAR MR. WHISTON: As you know, the commission during the past 2 years has devoted considerable time and staff aimed at eliminating racially discriminatory practices in the apprentice programs of skilled trades. In some of the trades, we have had success. In others, we have not been able to alter prevailing patterns of racial exclusion.

For some of these trades the board of education (at Washburne, Prosser, and Chicago Vocational School) provides apprenticeship training. This training, in part, is supported by Federal funds following certification by the office of the superintendent of public instruction, division of vocational education.

The great majority of skilled trades using these public facilities and public funds for apprenticeship training have opened their ranks to qualified applicants without regard to race, religion, or national origin. What we are confronted with is a handful of key trades that are still closed to Negroes. The present apprentice training arrangement makes the board of education, as well as the State and Federal government parties to discriminatory practices.

On several occasions during the past 2 years we have discussed the matter with Superintendent Willis and his staff and members of the board of education and have urged that steps be taken by the board to end its participation in a training program which supports racial discrimination.

You are, of course, acutely aware of the many complaints voiced by responsible spokesmen in the community regarding this situation—a situation which not only has been the object of intense local scrutiny but also has been given national attention.

In October 1961, speaking on behalf of the board of education, Dr. Louis B. Newkirk, director, bureau of industrial arts and technical subjects testified before the Special Subcommittee on Labor of the Committee on Education and Labor of the House of Representatives. Regarding charges that had been made to the subcommittee about racial restrictions at Washburne, he stated that discrimination, when practiced by the trades that use Washburne facilities, is not the responsibility of the board of education, which is willing to accept any apprentice regardless of race. Congressman Roman C. Pucinski remarked:

"* * * I am fully aware of the role that the unions play in this thing, and I am fully aware of the fact that these students must first have a job before they can come into this apprentice program. I just cannot understand how you can state to this committee that you have no control over this program. There are three parties involved in this program and you are one of those three."

Congressman James Roosevelt, on the same occasion commented:

"* * * But if the Chicago Board of Education finds that the service of Washburne is being used as a tool to further discrimination, certainly you and the board of education have a responsibilty, then, to withdraw this service, have you not?"

In his 1962 report on Chicago to the U.S. Commission on Civil Rights, Prof. John E. Coons of the Law School of Northwestern University stated:

"* * * The school's abnegation of the power to determine the identity of its own students permits the employers and unions to use the facilities of the school for preparing whichever applicants they see fit * * * the surrender of a public function to private organizations in this manner is difficult to justify."

In October 1963, Federal Judge William J. Campbell, in his decision involving structural iron workers said:

"* * * the defendant, the board of education, did make available its facilities. its equipment and its teachers * * * to the furtherance of what it knew or should have known was an invidiously discriminatory scheme."

On January 17, 1964, the U.S. Department of Labor put into effect its new rules on "Nondiscrimination in Apprenticeship and Training." To insure nondiscriminatory use of Federal funds, the rules make necessary further review of local apprenticeship programs using public school facilities.

On March 31, 1964, the advisory panel headed by Prof. Philip Hauser reported to the board of education as follows:

"The panel finds it shocking that some unions in Chicago do not admit Negroes as apprentices and that the public school system cooperates with these unions in providing apprenticeship training programs for them."

These joint apprenticeship committees and unions have been given every opportunity—during the past 2 years—to extend their recruiting and admitting practices so that minority group youth could qualify. They have not done so.

The commission deems it urgent that affirmative action be taken by the board of education. The commission believes that public funds and public facilities should be made available only to those apprenticeship programs which effectively demonstrate that they are open to all qualified applicants; those programs whose recruiting patterns reach members of various minority groups, including Negroes, orientals, Puerto Ricans, Mexicans, and others.

We understand that steps have been taken by Superintendent Willis to review the practices of specific unions and the joint apprenticeship committees. However, the problem still remains. The restrictive pratices of a small group of key trades have not been changed. The enclosed report issued by the commission on December 2, 1963, explains the situation in these skilled trades in the Chicago area.

Accordingly, we are asking the board of education to take appropriate action, including the withdrawal of funds and facilities with respect to those apprenticeship programs which do not completely meet the tests outlined above. Similar letters, with the same request, are being sent to the U.S. Department of Health, Education, and Welfare, and to the division of vocational education of the office of the superintendent of public instruction.

The commission and its staff stand ready to assist in the achievement of nondiscriminatory apprenticeship programs. We would appreciate hearing from you at your earliest convenience.

Sincerely yours,

(S) Ely M. Aaron,
ELY M. AARON,
Chairman.

NOTE.—The above letter was also sent to members of the board of education. A similar letter was sent to Benjamin C. Willis, general superintendent of schools, Melville Hosch, regional director, Department of Health, Education and Welfare, and J. E. Hill, director, Division of Vocational Education, State of Illinois.

Enclosure.

CITY OF CHICAGO,
COMMISSION ON HUMAN RELATIONS,
Chicago, Ill., July 6, 1965.

Mr. FRANK M. WHISTON,
President, Board of Education, City of Chicago,
Chicago, Ill.

DEAR MR. WHISTON: The commission is fully aware that the national and local determination to establish equality of opportunity—without regard to race, creed, or national origin—has focused particular attention on public education. Hence, public school systems from coast to coast, including our own, have been confronted by problems arising not merely out of racial imbalance in our cities but also out of the presence of large numbers of children whose social inheritance has been shortchanged by generations of privation and discrimination. On all sides we hear a swelling cry for upgrading the quality and equality of education now being given in schools located at the very heart of our cities. In Chicago we face special problems centering on the transition from the present general superintendent to his successor.

Accordingly, your meeting on Wednesday, July 7, offers the board of education an opportunity to take additional steps toward the resolution of some of these problems. These steps, I respectfully suggest, should include the following:

(a) Your prompt appointment of the six-member board committee and the "blue ribbon" committee of college presidents opened the door to an early and decisive decision by the board. Now the board should share with the public what machinery and timetables have been established to expedite the search for a new general superintendent. The public awaits some word on the activity of the college presidents' committee announced 3 weeks ago. Regular progress reports on their search and work need to be made as your announced goal of October 1965, draws near, the time when candidates recommended by the board committee are to be submitted to the full board of education for its action. These public reports can be made without fear of compromising any confidential inquiries and negotiation and without premature release of the names of candidates.

(b) The board should deny the use of the facilities of Washburne Trade School to those few apprenticeship trades which still bar racial and ethnic minorities. Each joint apprenticeship committee should be asked to demonstrate, beyond any doubt, by September 1, 1965, that its apprenticeship is in fact open to Negroes and other minorities.

(*c*) The board should make sure that the post of assistant superintendent for integration, provided for in the current school budget, is filled immediately by a person outstanding in ability and solidly committed to a program guided by the Hauser and Havighurst reports.

(*d*) The board is now making all-important decisions concerning the location of new high schools and the reorganization and redistricting of present high schools—decisions which will vitally affect the prospects of achieving stable, integrated communities of high quality on the south, north, and west sides of the city. The board should make it clear that such decisions will carry out the basic policies for the comprehensive plan of Chicago proposed by the department of city planning. The basic policies propose that "The city will seek to change these trends (the massive transition from white to nonwhite, mainly in areas adjacent to nonwhite neighborhoods) and to achieve harmonious, stabilized neighborhoods attractive to families of all races and creeds. This has been increasingly accomplished in urban renewal areas, through cooperation between city and citizens."

(*e*) The board has indicated its determination to implement the Hauser and Havighurst reports which the board itself authorized to assist it in providing the best education possible for all our children. In the light of the current public controversy which now swirls through the community, it would be helpful if the board, once again, would indicate its willingness to meet, as a body or through a committee, with groups of citizens who have views and proposals to present on how these reports can best be carried out.

(*f*) As soon as possible the board should outline what additional programs in compensatory education can be initiated in our schools out of State, Federal, and other funds that will be available during the coming school year.

To the resolution of these problems the members of the commission and its staff offer their assistance and cooperation.

Sincerely yours,

(S) ELY M. AARON, *Chairman.*

CHICAGO COMMISSION ON HUMAN RELATIONS, CHICAGO, ILL.

The commission's chairman, Ely M. Aaron, and director, Edward Marciniak, have had several meetings with the board of education's "committee to meet with employers and unions involved in the Washburne Trade School program." You will recall that this committee was formed after Mr. Aaron, in a letter dated June 5, 1964, to President Frank Whiston, had pointed out that certain trades were closed to Negroes and asked that the board "take appropriate action, including the withdrawal of funds and facilities with respect to those apprenticeship programs" which discriminate against any racial, religious, or ethnic group. At their most recent meeting, on January 26, they were given the following official racial breakdown of apprentices. All programs are conducted at Washburne Trade School except where indicated.

	Total	Negro	Puerto Rican	Mexican	Oriental	Indian
Carpenters	162	3	2			
Electricians	529	12				
Foundry and patternmakers	59	2		2		
Printers	129	4				
Machine shop	150	3		2		
Metal lathers	40	0				
Painting and decorating	153	15	3	6		
Plumbers	80	3		1		
Pipefitters	182	0				
Sheet metal workers—shop	27	3				
Sheet metal workers—construction	231	0				
Sprinkler fitters	43	2				
Chefs' training [1]	70	4		1	1	8
Meatcutters	43	8		2		
Architectural ironworkers	41	1				
Cement masons	75	12				
Structural ironworkers	39	0				
Bakers	20	11		1	1	
Linotype operators	15	2				
Structural ironworkers [2]	40	0				
Tool and die makers [3]	706	12				
Total	2,834	97	5	15	2	8

[1] Not an apprentice program.
[2] Chicago Vocational.
[3] Prosser Vocational.

AUGUST 31, 1964.

Memorandum to: Staff.
From: Howard Fuller.
Re: Explanation of two sections of poverty bill.

The purpose of this memo is to give you a general idea of what two titles of the Economic Opportunity Act of 1964 (poverty bill) is all about. The two titles, youth programs and urban community action programs, were chosen because these are the two we will be most concerned with. The information for this memo comes from a comparative analysis of H.R. 10440 and H.R. 11377 done by the welfare council, and accounts from the following newspapers: Industrial Union Department, AFL–CIO Bulletin; the Packinghouse Worker; New York Times; the Wall Street Journal; Chicago Sun-Times; Chicago Daily News; Chicago's American; the Christian Science Monitor; and Chicago Tribune.

TITLE I. YOUTH PROGRAMS

A. The Job Corps

The Job Corps is one of the several programs designed to serve the youth in this country. Within the Job Corps, conservation camps and training centers will be established throughout the country. They will enroll 40,000 volunteers during the first year of operation; 100,000 by the end of the second year. These volunteers will be men and women between 16 and 21 years of age who have not completed their secondary education and have not found satisfactory employment. They will come from both urban and rural backgrounds and will represent all racial and ethnic groups.

The Job Corps experience will open to these youth new opportunities for employment and for further schooling and training. The education program will develop basic skills of reading, arithmetic, science, technology, and citizenship. Through work experience and vocational training, these young people will recognize their own aptitudes and interests and will develop employable skills.

Forty percent of the enrollees will be assigned to conservation camps of 100 or 200 men, located throughout the country in rural areas. A staff of about 20 in each camp will supervise the program of basic education and work experience. Life adjustment counseling will be a focus of this training program.

Training centers will offer more concentrated vocational education and training. The work experience and vocational classes in these larger centers will be directed toward the future of the trainee in the job market. The centers will be located near large urban areas and will be operated by universities under contractual agreement with the Job Corps.

The residential centers for women in the Job Corps will be smaller in size than those for men but will deal with similar needs in their programs. In addition to general and vocational education, the young women will be receiving some training in home and family life.

B. Work training programs

The work-training programs will be coordinated by OEO and the U.S. Department of Labor. About $150 million is authorized and when operating at full capacity some 30,000 men and women from 16 to 21 years of age would be working full time, 60,000 half time, and 110,000 quarter time. (After school or full time in the summer.)

To be eligible the enrollee would need employment to stay in school, to resume school, or be a potential dropout where financial assistance and work experience would provide the incentive to keep him or her in school. Those who are out of school, but who need employment experience to prepare for formal training or for a job would also be eligible.

Projects under the auspices of public agencies or nonprofit private agencies (hospitals, playgrounds, libraries, recreation, sanitation, health, public works departments, settlement houses, State or county parks or forests), or other places where useful public services that would not otherwise be provided, can be performed.

Sponsors must demonstrate ability to reach out and deal effectively with the poverty group and the jobs must be such that they will increase the employability of the young people. Programs could not be conducted in facilities used solely for sectarian instruction or religious workshop. No project could displace existing workers or impair existing contracts for services. Pay would have to be appropriate and reasonable in light of geographical region, type of work, and proficiency of employee.

C. Work-study programs

The work-study programs are to provide up to 15 hours per week employment for full-time undergraduate, graduate, or professional students in good standing (or accepted for enrollment) in institutions of higher learning as defined in section 103 of the National Defense Act of 1958. These students to be eligible for employment under this part must come from a low-income family and need the money to stay in school and must be capable of carrying the curriculum in which he is enrolled.

The OEO will coordinate this part through the U.S. Department of Health, Education, and Welfare. The jobs provided may be for the school itself obtained through an agreement between the school and a public or private nonprofit organization. OEO can pay up to 90 percent of the cost of the program for the first 2 years and 75 percent thereafter.

TITLE II—URBAN COMMUNITY ACTION PROGRAMS

A. General community action programs

The OEO would administer directly $315 million to provide stimulation and incentive for urban and rural communities to mobilize their resources to combat poverty through local community action programs. Of this the Director would have $63 million to allot among the States as he wished; 2 percent would be reserved for the territories; $47,250,000 used for research training, and demonstration; and the remaining $204,750,000 would be divided among the States and District Columbia according to a formula as follows:

1. One-third based in the ratio the number of public assistance recipients in the State bear to the total in the Nation;
2. One-third in the ratio the number of unemployed in the State bear to national unemployment; and
3. The number of children under 18 in families with incomes of $1,000 per year or less bear to the total of such children in the Nation.

Illinois would receive $3,739,563; $3,422,348; and $2,254,551 based on these three factors respectively for a total of $9,416,462 for community action programs.

The bill prohibits funds under this part being used to provide general aid to elementary or secondary education in any school. Grants may be made to any public or private agency on combination thereof.

A community action program to be eligible for Federal assistance must:

1. Mobilize and utilize resources, public, and private in an attack on poverty;
2. Provide service, assistance, and other actvities in employment, job training and counseling, health, vocational rehabilitation, housing, home manage-

ment, welfare, and special remedial and other noncurricular educational assistance for the benefit of low-income individuals and families;

3. Be developed, conducted, and administered with the maximum feasible participation of residents of the areas.

OEO will give special consideration to the development of programs which would carry out a multifaceted coordinated attack on the interrelated causes of poverty and which give promise of effecting a permanent increase in the capacities of groups, individuals, communities to deal with their problems without further assistance.

OEO will establish procedures for State participation including submission of applications for assistance to the Governor for comment.

B. Adult basic education programs

The Office of Education of the Department of Health, Education, and Welfare on behalf of OEO. A minimum of $50,000 will be available to each State with $25 million divided among the States as per a ratio based on the number of people 22 years of age or older with less than six grades of school completed. Ten States will receive this minimum with Illinois eligible for $1,102,606 the first year based on 502,938 adults with less than a sixth-grade education.

Grants under this part may be used in accordance with regulation of the Director to—

1. Assist in establishment of pilot projects by local educational agencies, relating to instruction in public schools, or other facilities used for the purpose by such agencies, to—

(*a*) Demonstrate, test, or develop modifications, or adaptations in the light of local needs, of special materials or methods for instruction of such adults;

(*b*) Stimulate the development of local educational agency programs for instruction of such adults in such schools or other facilities; and

(*c*) Acquire additional information concerning the materials or methods needed for an effective program for raising adult basic educational skills.

2. Assist in meeting the cost of local educational agency programs for instruction of such adults in such schools or other facilities; and

3. Assist in development or improvement of technical or supervisory services by the State educational agency relating to adult basic education programs.

The part provides for administration of the program by the appropriate State educational agency subject to a program plan approved by the Director to assure that the funds are expended in the furtherance of the purposes of the bill. Any State plan may be approved which—

1. Provides for administration by the State educational agency;

2. Provides for reports to enable tthe Director to carry out his duties under the part;

3. Provides for fiscal control and fund accounting procedures of the Federal funds paid to the State;

4. Provides for cooperative arrangement between the State with the State health authority for health information and service so that the adult enrollees will be enabled to benefit from the instruction provided; and

5. Sets forth a program which affords assurance of substantial progress toward raising the level of education of adults and toward the elimination of the inability of adults to read and write English.

The part provides for judicial review of any action on the part of the Director in failing to approve a plan or for withholding funds to a State.

THE EFFECTS OF SEGREGATION ON CHILDREN

We are a group of Chicago public school teachers who favor integrated schools. That our city's schools are not integrated, however, is amply clear. As teachers, we have a professional obligation to overcome serious obstacles in the way of learning. Segregation, according to the best authorities, profoundly interferes with the ability of minority and majority children to learn and to develop healthy personalities.

In 1952, a group of eminent social scientists submitted a brief to the U.S. Supreme Court in which they declared that "regardless of facilities which are provided, enforced segregation is psychologically detrimental to the members of the segregated group." Enforced segregation—maintained by board of education rules rather than by city or State laws—is the lot of thousands of students in Chicago. (This brief, by the way, ultimately became the basis of the Supreme Court's historic desegregation decision of 1954.) Following is the full text of part II of the social scientists' statement.

In several weeks, we will publish a full analysis of (1) what is meant by school integration; (2) the character of segregation that exists in our schools; and (3) specific steps that might be taken to remedy segregation.

At the recent midcentury White House Conference on Children and Youth, a factfinding report on the effects of prejudice, discrimination, and segregation on the personality development of children was prepared as a basis for some of the deliberations. This report brought together the available social science and psychological studies which were related to the problem of how racial and religious prejudices influenced the development of a healthy personality. It highlighted the fact that segregation, prejudices, and discriminations, and their social concomitants potentially damage the personality of all children—the children of the majority group in a somewhat different way than the more obviously damaged children of the minority group.

The report indicates that as minority group children learn the inferior status to which they are assigned—as they observe the fact that they are almost always segregated and kept apart from others who are treated with more respect by the society as a whole—they often react with feelings of inferiority and a sense of personal humiliation. Many of them become confused about their own personal worth. On the one hand, like all other human beings they require a sense of personal dignity; on the other hand, almost nowhere in the large society do they find their own dignity as human beings respected by others. Under these conditions, the minority group child is thrown into a conflict with regard to his feelings about himself and his group. He wonders whether his group and he himself are worthy of no more respect than they receive. This conflict and confusion leads to self-hatred and rejection of his own group.

The report goes on to point out that these children must find ways with which to cope with this conflict. Not every child, of course, reacts with the same patterns of behavior. The particular pattern depends upon many interrelated factors, among which are: the stability and quality of his family relations; the social and economic class to which he belongs; the cultural and educational background of his parents; the particular minority group to which he belongs; his personal characteristics, intelligence, special talents, and personality pattern.

Some children, usually of the lower socioeconomic classes, may react by overt aggressions and hostility directed toward their own group or members of the dominant group. Antisocial and deliquent behavior may often be interpreted as reactions to these racial frustrations. These reactions are self-destructive in that the larger society not only punishes those who commit them, but often interprets such aggressive and antisocial behavior as justification for continuing prejudice and segregation.

Middle class and upper class minority group children are likely to react to their racial frustrations and conflicts by withdrawal and submissive behavior. Or, they may react with compensatory and rigid conformity to the prevailing middle class values and standards and an aggressive determination to succeed in these terms in spite of the handicap of their minority status.

The report indicates that minority group children of all socal and economic classes often react with a generally defeatist attitude and a lowering of personal ambitions. This, for example, is reflected in a lowering of pupil morale and a depression of the educational aspiration level among minority group children in segregated schools. In producing such effects, segregated schools impair the ability of the child to profit from the educational opportunities provided him.

Many minority group children of all classes also tend to be hypersensitive and anxious about their relations with the larger society. They tend to see hostility and rejection even in those areas where these might not actually exist.

The report concludes that while the range of individual differences among members of a rejected minority group is as wide as among other peoples, the evidence suggests that all of these children are unnecessarily encumbered in some way by segregation and its concomitants.

With reference to the impact of segregation and its concomitants on children of the majority group, the report indicates that the effects are somewhat more obscure. Those children who learn the prejudices of our society are also being taught to gain personal status in an unrealistic and nonadaptive way. When comparing themselves to members of the minority group, they are not required to evaluate themselves in terms of the more basic standards of actual personal ability and achievement. The culture permits and at times, encourages them to direct their feelings of hostility and aggression against whole groups of people the members of which are perceived as weaker than themselves. They often develop patterns of guilt feelings, rationalizations and other mechanisms which they must use in an attempt to protect themselves from recognizing the essential injustice of their unrealistic fears and hatreds of minority groups.

The report indicates further that confusion, conflict, moral cynicism, and disrespect for authority may arise in majority group children as a consequence of being taught that moral, religious and democratic principles of the brotherhood of man and the importance of justice and fairplay by the same persons and institutions who, in their support of racial segregation and related practices, seem to be acting in a prejudiced and discriminatory manner. Some individuals may attempt to resolve this conflict by intensifying their hostility toward the minority group. Others may react by guilt feelings which are not necessarily reflected in more humane attitudes toward the minority group. Still others react by developing an unwholesome, rigid, and uncritical idealization of all authority figures—their parents, strong political and economic leaders. As described in the Authoritarian Personality, they despise the weak, while they obsequiously and unquestioningly conform to the demands of the strong whom they also, paradoxically, subconsciously hate.

With respect to the setting in which these difficulties develop, the report emphasized the role of the home, the school, and other social institutions. Studies have shown that from the earliest school years children are not only aware of the status differences among different groups in the society but begin to react with the patterns described above.

Conclusions similar to those reached by the Midcentury White House Conference Report have been stated by other social scientists who have concerned themselves with this problem. The following are some examples of these conclusions:

Segregation imposes upon individuals a distorted sense of social reality.

Segregation leads to a blockage in the communications and interaction between the two groups. Such blockages tend to increase mutual suspicion, distrust, and hostility.

Segregation not only perpetuates rigid stereotypes and reinforces negative attitudes toward members of the other group, but also leads to the development of a social climate within which violent outbreaks of racial tensions are likely to occur.

We return now to the question, deferred earlier, of what it is about the total society complex of which segregation is one feature that produces the effects described above—or, more precisely, to the question of whether we can justifiably conclude that, as only one feature of a complex social setting, segregation is in fact a significantly contributing factor to these effects.

To answer this question, it is necessary to bring to bear the general fund of psychological and sociological knowledge concerning the role of various environmental influences in producing feelings of inferiority, confusions in personal roles, various types of basic personality structures and the various forms of personal and social disorganization.

On the basis of this general fund of knowledge, it seems likely that feelings of inferiority and doubts about personal worth are attributable to living in an underprivileged environment only insofar as the latter is itself perceived as an indicator of low social status and as a symbol of inferiority. In other words, one of the important determinants in producing such feelings is the awareness of social status difference. While there are many other factors that serve as reminders of the differences in social status, there can be little doubt that the fact of enforced segregation is a major factor.

This seems to be true for the following reasons among others: (1) because enforced segregation results from the decision of the majority group without the consent of the segregated and is commonly so perceived; and (2) because historically segregation patterns in the United States were developed on the assumption of the inferiority of the segregated.

In addition, enforced segregation gives official recognition and sanction to these other factors of the social complex, and thereby enhances the effects of the latter in creating the awareness of social status differences and feelings of inferiority. The child who, for example, is compelled to attend a segregated school may be able to cope with ordinary expressions of prejudice by regarding the prejudiced person as evil or misguided; but he cannot readily cope with symbols of authority, the full force of the authority of the State—the school or the school board, in this instance—in the same manner. Given both the ordinamy expression of prejudice and the school's policy of segregation, the former takes on greater force and seemingly becomes an official expression of the latter.

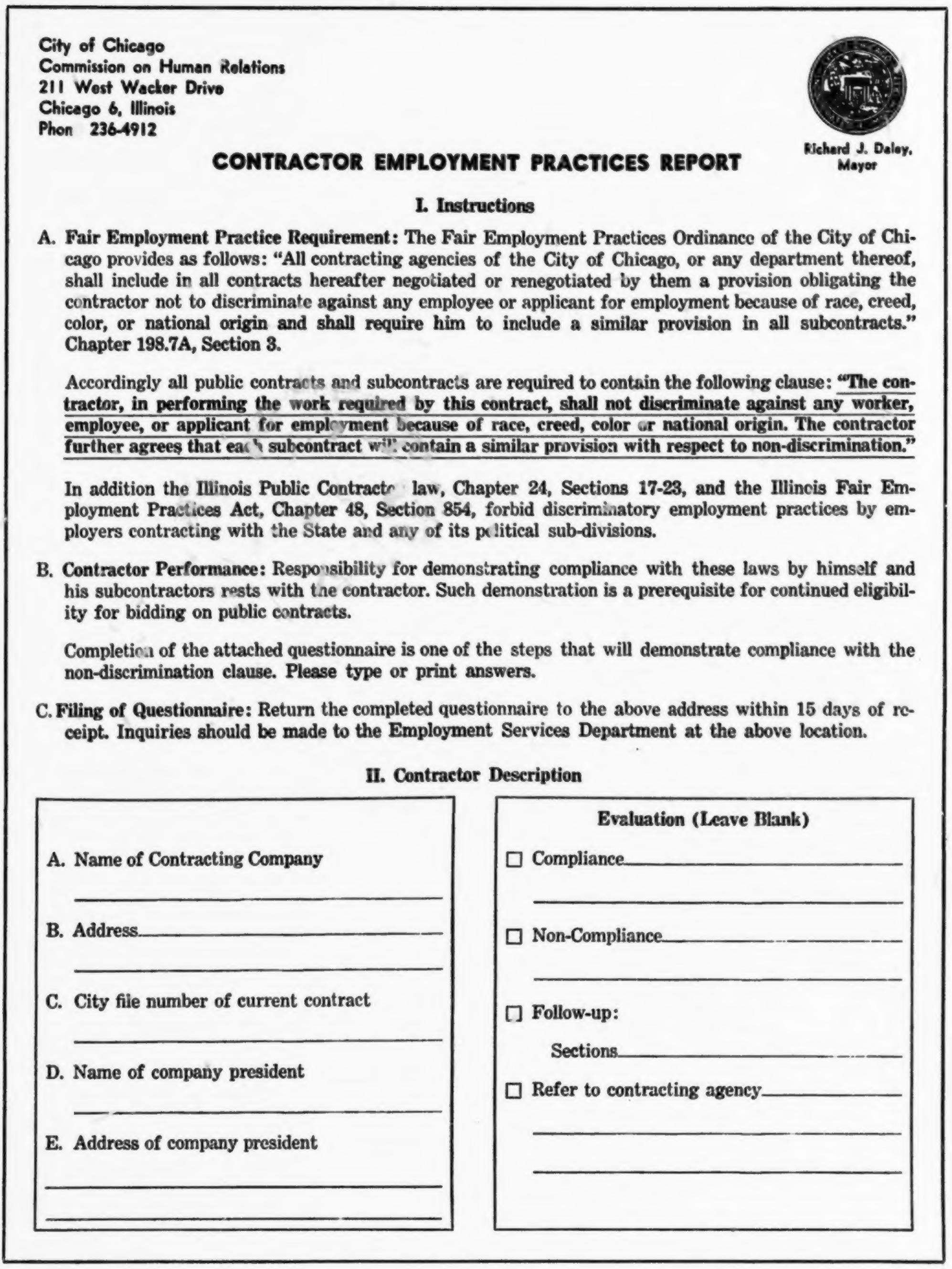
Not all of the psychological traits which are commonly observed in the social complex under discussion can be related so directly to the awareness of status differences—which in turn is, as we have already noted, materially contributed to by the practices of segregation. Thus, the low level of aspiration and defeatism so commonly observed in segregated groups is undoubtedly related to the level of self-evaluation; but it is also, in some measure, related among other things to one's expectations with regard to opportunities for achievement and, having achieved, to the opportunities for making use of these achievements. Similarly, the hypersensitivity and anxiety displayed by many minority group children about their relations with the larger society probably reflects their awareness of status differences; but it may also be influenced by the relative absence of opportunities for equal status contact which would provide correctives for prevailing unrealistic stereotypes.

The preceding view is consistent with the opinion stated by a large majority (90 percent) of social scientists who replied to a questionnaire concerning the probable effects of enforced segregation under conditions of equal facilities. This opinion was that, regardless of those facilities which are provided, enforced segregation is psychologically detrimental to the members of the segregated group.

Similar considerations apply to the question of what features of the social complex of which segregation is a part contribute to the development of the traits which have been observed in majority group members. Some of these are probably quite closely related to the awareness of status differences, to which, as has already been pointed out, segregation makes a material contribution. Others have a more complicated relationship to the total social setting. Thus, the acquisition of an unrealistic basis for self-evaluation as a consequence of majority group membership probably reflects fairly closely the awareness of status differences. On the other hand, unrealistic fears and hatreds of minority groups, as in the case of the converse phenomenon among minority group members, are probably significantly influenced as well by the lack of opportunities for equal status contact.

With reference to the probable effects of segregation under conditions of equal facilities on majority group members, many of the social scientists who responded to the poll in the survey cited above felt that the evidence is less convincing than with regard to the probable effects of such segregation on minority group members, and the effects are possibly less widespread. Nonetheless, more than 80 percent stated it as their opinion that the effects of such segregation are psychologically detrimental to the majority group members.

It may be noted that many of these social scientists supported their opinions on the effect of segregation on both majority and minority groups by reference to one or another or to several of the following four lines of published and unpublished evidence. First, studies of children throw light on the relative priority of the awareness of status differentials and related factors as compared to the awareness of differences in facilities. On this basis, it is possible to infer some of the consequences of segregation as distinct from the influence of inequalities of facilities. Second, clinical studies and depth interviews throw light on the genetic sources and causal sequences of various patterns of psychological reaction; and again, certain inferences are possible with respect to the effects of segregation per se. Third, there actually are some relevant but relatively rare instances of segregation with equal or even superior facilities, as in the cases of certain Indian reservations. Fourth, since there are inequalities of facilities in racially and ethnically homogeneous groups, it is possible to infer the kinds of effects attributable to such inequalities in the absence of effects of segregation and by a kind of subtraction to estimate the effects of segregation per se in situations where one finds both segregation and unequal facilities.



City of Chicago
Commission on Human Relations
211 West Wacker Drive
Chicago 6, Illinois
Phone 236-4912

Richard J. Daley,
Mayor

CONTRACTOR EMPLOYMENT PRACTICES REPORT

I. Instructions

A. **Fair Employment Practice Requirement:** The Fair Employment Practices Ordinance of the City of Chicago provides as follows: "All contracting agencies of the City of Chicago, or any department thereof, shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and shall require him to include a similar provision in all subcontracts." Chapter 198.7A, Section 3.

Accordingly all public contracts and subcontracts are required to contain the following clause: **"The contractor, in performing the work required by this contract, shall not discriminate against any worker, employee, or applicant for employment because of race, creed, color or national origin. The contractor further agrees that each subcontract will contain a similar provision with respect to non-discrimination."**

In addition the Illinois Public Contractors law, Chapter 24, Sections 17-23, and the Illinois Fair Employment Practices Act, Chapter 48, Section 854, forbid discriminatory employment practices by employers contracting with the State and any of its political sub-divisions.

B. **Contractor Performance:** Responsibility for demonstrating compliance with these laws by himself and his subcontractors rests with the contractor. Such demonstration is a prerequisite for continued eligibility for bidding on public contracts.

Completion of the attached questionnaire is one of the steps that will demonstrate compliance with the non-discrimination clause. Please type or print answers.

C. **Filing of Questionnaire:** Return the completed questionnaire to the above address within 15 days of receipt. Inquiries should be made to the Employment Services Department at the above location.

II. Contractor Description

A. Name of Contracting Company ____________________

B. Address ____________________

C. City file number of current contract ____________________

D. Name of company president ____________________

E. Address of company president ____________________

Evaluation (Leave Blank)

☐ Compliance ____________________

☐ Non-Compliance ____________________

☐ Follow-up:

Sections ____________________

☐ Refer to contracting agency ____________________

III. Policies and Practices

	Yes	No
A. Is it the company's policy to recruit, hire, train, upgrade, promote, and discipline persons without regard to race, creed, color, or national origin?		
B. Has responsibility been assigned to develop procedures which will assure that this policy is understood and carried out by managerial, administrative, and supervisory personnel?		
C. Have all recruitment sources been notified that the company will consider all qualified applicants without regard to race, creed, color, or national origin?		
D. If advertising is used does it specify that all qualified applicants will be considered for employment without regard to race, creed, color, or national origin?		
E. Does the company have bargaining agreements with employee organizations?		
F. If yes, have such organizations been notified of the company's responsibility to comply with the non-discrimination clause as it applies to apprentices and other employees?		
G. Has the company notified all of its subcontractors of their obligation to comply with the non-discrimination clause?		
H. Identity of Employee Organizations		
Local Union Number — International Union		

I. Optional. Describe any other actions taken which show that all employees are recruited, hired, trained, and promoted without regard to their race, creed, color, or national origin.

IV. Employment Figures

(NOTE: For "Total" use most recent payroll figures)

1. Occupations	Total	Negro	Others*
Officials, Managers and Supervisors			
Professional			
Technical			
Sales Workers			
Office and Clerical Workers			
Skilled Workers—specify crafts			
Apprentices—specify crafts			
Semi-Skilled Workers			
Service Workers			
Unskilled Workers			
TOTALS			

*For example: Other races, or religions or nationalities

2. Employment figures were obtained from ☐ Available Records ☐ Visual Check ☐ Other (Specify)

3. Name and title of person completing this form

4. Date

FORM 2

Contractors Show Gain In Negro Apprentices

Substantial gains in the employment of Negro apprentices among firms receiving local public contracts were reported by the Chicago Commission on Human Relations.

Edward Marciniak, Commission director, said that: "For firms located in Chicago, the percentage of apprentices who are Negro increased from 6 per cent in 1963 to 13 per cent in 1964. In firms outside the city, the increase was from 5 per cent in 1963 to 9 per cent in 1964."

The report followed an analysis of "contractor employment practices reports" received by the Commission during the past year.

Substantial gains in Negro employment also were recorded for technical semi-skilled, service, and unskilled workers employed by Chicago firms. Companies outside Chicago reported increases for skilled, semi-skilled, and unskilled workers.

Between August 27, 1963, and Sept. 25, 1964, the Commission received 792 employment practices reports from companies that do business with the City of Chicago, the Chicago Board of Education, the Metropolitan Sanitary District, the Chicago Housing Authority, the Chicago Park District, and the Chicago Public Buildings Commission.

The answers supplied on the report forms help the Commission determine which firms are in compliance with the non-discrimination clause that appears in all contracts let by city governmental bodies.

Chicago Commission on Human Relations
211 West Wacker Drive
Chicago, Illinois 60606

Telephone: 744-4000

The contractor, in performing the work required by this contract, shall not discriminate against any worker, employee, or applicant for employment because of race, creed, color or national origin. The contractor further agrees that each subcontract will contain a similar provision with respect to non-discrimination.

(from the clause contained in all contracts let by city governmental bodies)

The forms showed that the 792 contracting firms employed 168,247 workers, nearly 10 per cent (16,580) of whom were Negroes. Figures for a year earlier showed that of 143,450 employees, 12,167 or 8 per cent were Negro.

The following table shows the number of Negroes employed in various job categories by the reporting contractors.

Number and Percentage of Negroes by Occupation
Employed by City Contractors, 1964 and 1963

(1963 FIGURES IN PARENTHESES)

	CHICAGO FIRMS						FIRMS OUTSIDE CHICAGO					
Occupation	Total Employees		Negro Employees		% Negro Employees *		Total Employees		Negro Employees		% Negro Employees	
Officials, Managers and Supervisors	13,092	(7,753)	117	(111)	.9%	(1%)	6,435	(4,444)	47	(17)	.7%	(.4%)
Professional	5,267	(4,593)	47	(37)	.9%	(.8%)	4,875	(3,768)	16	(10)	.3%	(.3%)
Technical	3,534	(3,352)	133	(90)	4%	(3%)	5,356	(2,867)	41	(16)	.8%	(.6%)
Sales Workers	5,732	(5,664)	90	(187)	2%	(3%)	4,626	(2,848)	58	(11)	1%	(.4%)
Office and Clerical Workers	19,194	(19,743)	1,237	(1,160)	6%	(6%)	10,686	(9,909)	125	(87)	1%	(.9%)
Skilled Workers	23,043	(19,452)	1,832	(1,628)	8%	(8%)	13,689	(13,345)	719	(470)	5%	(4%)
Apprentices	1,152	(700)	147	(42)	13%	(6%)	553	(504)	48	(27)	9%	(5%)
Semi-skilled Workers	11,205	(16,216)	2,615	(2,225)	23%	(14%)	19,473	(13,755)	2,638	(1,746)	14%	(13%)
Service Workers	3,357	(2,351)	1,197	(726)	36%	(31%)	2,205	(1,208)	427	(279)	19%	(23%)
Unskilled Workers	5,900	(6,636)	2,409	(2,075)	41%	(31%)	8,873	(4,342)	2,637	(1,223)	30%	(28%)
Totals	91,476	(86,460)	9,824	(8,281)	11%	(10%)	76,771	(56,990)	6,756	(3,886)	9%	(7%)

WILLIS STANDS ACCUSED BY HIS RECORD

In the battle of the people versus Benjamin C. Willis, Chicago's controversial superintendent of schools, the Willis personality has overshadowed basic areas of disagreement. Willis has six main strikes against him.

THE SIX MAIN STRIKES AGAINST WILLIS

I. Superintendent of Schools Benjamin C. Willis Stands Accused of Open Violation of the Law in Promoting Racial Segregation and Educational Inequity in Chicago Public Schools

Let us examine the facts:

(1) Willis was evasive when interrogated on the 1954 Supreme Court decision against segregated education. In May 1954, at a meeting with the Chicago branch of the NAACP, the following conversation was recorded:

Question. "Mr. Willis, are integrated schools preferable, in your opinion, to segregated schools?"

Willis. "We do not always get answers to our questions at the time we ask them." (Source: "Willis"; A report to Massachusetts A.D.A. by Rich, Faith; unpublished monograph; p. 1.)

(2) Willis worked against passage of house bill 331, later the Armstrong Act, aimed to compel Willis and the Chicago Board of Education to set up school boundaries furthering integration in Chicago schools. In March 25, 1959, the Chicago Board of Education passed a resolution against the Armstrong bill and empowered Superintendent of Schools Willis with the authority to represent such an opinion as a matter of the legislative policy of the Chicago Board of Education and to deter, if possible, a vote against the bill by a majority of the Illinois State Senate. Willis lobbied against the bill's passage in his position as Chicago superintendent of schools, but the bill became law despite his efforts. Then Willis did everything in his power, by one subterfuge or another, to sidetrack positive action on the law's main provision of changing school boundaries to promote integration of the Chicago public schools. (Source: p. 1646, Mar 25, 1959, Official Proceedings of Chicago Board of Education.)

(3) Illinois law (34–8) relating to schools specifically states that a selection of school sites, school location, school planning, as well as district changes, are functions of the Chicago schools superintendent. In what manner did Willis perform under this law? He openly flouted it.

Let us look at a portion of the Willis record of evading the Federal and State laws.

Willis failed to recommend apportionment and matching of student numbers to the number of available classroom seats throughout the city of Chicago. From 1953 to 1961 some schools had underused or even empty rooms; some had rooms used for storage or other purposes that could be converted to classrooms; other schools had gravely overcrowded classrooms. Today, although double shifts are said to be eliminated, there is still serious overcrowding in the schools of the Negro ghetto, in particular, while there are schools in white areas that have available seats or rooms possible to reconvert into classrooms.

Willis further solidified the inequality of classroom seats to pupils in his 1955 administrative reorganization of Chicago's schools. At that time he divided all city schools into 16 districts.

Later this was changed to 18, to 20, at present to 21. The Willis idea now is to double the number of districts. Some of these districts have more classroom space than needed; others, insufficient for the large number of students. Overcrowding is typical of most ghetto classrooms. This is true, particularly, of housing project classrooms where a kind of built-in segregation exists in space originally intended for apartments. The Robert Taylor project, specifically, is a flagrant example of this kind of "federalized" school segregation. It is proof that "Jim Crow" lives in Chicago Negro schools, fostered and nourished by Benjamin C. Willis and the majority of the Chicago Board of Education.

The Hauser report compiled by educational experts recently emphasized inequity of classroom space usage as did numerous local newspaper accounts from November 1961 to the present date, July 1965. However, little has been done by Willis to relieve the blatant overcrowding in the Negro schools. In fact, he not only has overlooked available space in areas outside the predominately Negro areas, he denied such space existed.

Willis built this same inequality into teacher salary schedules. For example, if there are 42 pupils in one class and 25 in another, teachers of like background and length of service are paid identical salaries, regardless of the number of children they teach or the type of problems they encounter. Though this is unfair to the teacher, it is doubly so for the children.

The 32½ pupil per classroom, so glibly cited by Willis, is an overall citywide average. Willis neglects to mention that there are areas, in project classrooms, for example, where the class size is 60 students or more. Of course, this condition prevails where mothers of such children are on relief. Mrs. Lydon Wild, a Chicago Board of Education member, who visited the Robert Taylor project classrooms on official inspection in the fall of 1964, saw little the matter, except a lack of napkins for lunches and the absence of milk. It is not to be wondered that Mrs. Wild voted to renew the Willis contract.

Willis has set up a tightly contralized, autocratic administrative system of placing each district separate from one another and directly responsible to the central office with the end result that there is small flow of communication from one district to another. Thus, one assistant superintendent in charge of one district does not know what the other is doing. He has no knowledge of availability of classroom space in districts other than his own or of racial makeup of students or other pertinent details essential to a clear understanding of the administrative picture. Each assistant superintendent operates from directives sent out through the office of one man—Willis. Each assistant superintendent reports either directly to Willis or to the aids he chooses to act for him. And all the men and women close to Willis are his own hand-picked chosen elite. This is true, of course, of many tycoons of industry, but it is seldom seen in the school structure of the United States of America. This quite dictatorial setup of Chicago's school districts is a phenomenon traceable only to Willis since he, alone, created it.

Willis overtly displayed his segregationist attitude in the ill-fated school transfer plan attempted in 1961 after pressure of lawsuits and public action had forced a token recognition of the inequity existent in the city schools. His memo to the board of education, December 27, 1961, stated that the board of education could authorize the issuance of temporary permits to pupils on double shifts to enroll in elementary schools with available space within their general area of residence. Also, a portion of the wording said: "Pupils with these temporary permits will be required to provide their own transportation at no expense to the board of education." This point of the pupils' responsibility to furnish their own funds to transfer made it financially impossible for many of the Negro students to make use of the plan, even if they had been permitted to do so. But even such temporary makeshifts were revoked when home attendance areas had an average size no larger than 40 pupils per classroom. Temporary transfers at that time were limited also where available class space in the school to which the student transferred was brought up to an average of 30 students per class. The newspapers dubbed the plan the 40-30 differential. Adopted on August 22, 1962, the plan was a flop in a few months.

The more recent January 13, 1965, effort of the board of education to incorporate the tentative limited cluster plan of South Shore, Bowen and Hirsch High Schools was strenuously opposed by Willis. Although less than 100 students were involved and these carefully screened as of sufficient mentality and emotional stability to warrant such an experiment (the screening itself a mark of biased thinking, though, perhaps, unconscious), most of these students were Negro and Willis could not endure permitting even this small number of qualified young men and women the social experience of participating in the widened neighborhood plan of the cluster advocated by Dr. Robert Havighurst. It must be said at this time in fairness to Willis that a good segment of the Bowen school parental community objected to the innovation of this idea. This strengthened and abetted the bias of the Willis mentality. Thus a timid effort to integrate and stabilize another section of the city was lost.

Willis has made it abundantly plain on more than one occasion of his hostility toward the recent Havighurst school survey. Serving on the staff as one of its three members on his own insistence, Willis was repeatedly late or absent. His feelings toward the survey were aptly described at the October 27, 1964, meeting of the school board sitting as a committee of the whole. During a discussion of whether or not priority should be given the Havighurst report over that of other surveys, Willis was asked by Mrs. Wild if he thought early publication was essential. Willis snapped: "I do not."

The present school's superintendent has created a segregationist administrative makeup of the city's summer schools. This plan is still in existence Prior to Willis, Chicago high school students had been free to attend the summer school of their choice thereby enabling them to enrich their curriculum with certain subjects they might not be offered in their home area. But in 1962, for the first time in the city's history, Willis and the board of education redistricted the summer schools making it mandatory for the high school students to attend school in their home locale.

In 1963, some students desiring courses in high schools other than in their home area were subtly threatened with loss of school credit if they attended schools other than the one where they enrolled in the regular session. Bulletin 44, May 2, 1963, page 2, under "School Attendance" states: "Summer school students may attend the summer school most convenient to their residence." A recent check on the dicta of the present show this same policy to be in effect for 1965.

Willis has repeatedly evaded a followup on the Hauser report recommendations specifically urging community participation in a possible solution of the city's increasing racial problem as it related to schools. It is to be noted, however, that this aversion to civic participation does not extend to those who adhere to and encourage his policy of racial bias. Mrs. Alice Brodsky, an ardent pro-Willis fan, president of MOMS (Mothers Ought Not To Mix in School Administration), has been seen to be greeted by a Willis smile, while Father Hogan, secretary of the coordinating council, would be coldly received, if at all.

In the main, Willis has taken any public expression of opinion, good or bad, with indifference, if not outright disdain. His attitude is also typical of most of the board of education membership. An example of this was given by the present School Board President Frank Whiston in a TV (channel 2) interview in December 1964 at the time of a public hearing by various interested civic groups on school problems. Asked by the interviewer whether he thought such public-involved hearings were useful, Whiston said: "No."

It is true that there was a time when Willis, weeping and appearing near collapse, fled to his home and resigned. This was in 1963. At the time, a subservient board president, Clare Roddewig, aided by the board majority, urged reconsideration. At present, a more assured, stable and smiling Willis appears indifferent to appeal or pressure. Perhaps, it is because the notoriety has made him a national figure. Perhaps, he has matured, and if critics of the civil rights movement have no other word of praise than such a comment on the schools superintendent, perhaps, indeed, the civil rights movement has made something of a man, albeit a man of bias, out of a hysterical, tantrum-given half man, half child. But perhaps, and more to the point, Willis is assured because he simply does not care for people and their needs and dreams, and black people in particular.

That the present superintendent of schools has failed to take on community leadership so vitally needed in the education of large segments of the public to the positive features of integration for all of the people, both black and white, has been evident. Apparently, the aspirations of an expanding racial minority determined to gain equality in education in order to better serve the community and the Nation, as well as themselves as individuals, does not concern Benjamin C. Willis.

In the final analysis, Willis has disregarded any suggestion to integrate the city schools from his onset in Chicago. In 1953, he failed to continue the work begun during the tenure of his successor, Dr. Harold Hunt who had utilized the technical advisory committee program on intergroup relationships designed as an adjunct for the Commission on Education, Training and Research in Race Relations of the University of Chicago, headed by Dr. Louis Wirth (now deceased). By 1951 the city school board, through cooperation with this commission, had altered boundaries of 102 elementary schools with the express purpose of the impartial application of the neighborhood school policy. On the departure of Dr. Hunt, Willis had access to the reports on the work of his predecessor. He failed to act on them and the commission was not reactivated.

Friends of Willis point to the recent South Shore Community plan, a "brain child" of the schools superintendent as evidence of his deep interest in civic affairs. But this idea of Willis has been greeted by distrust by the Negro community and their friends as "too little too late" and the mere creation of another isolated "white oasis" among the encircling all-Negro neighborhoods.

What does Willis really think of the idea evinced by many of an assistant superintendent of schools in charge of integration? Not very much if his words give a key to his convictions. At the special meeting of December 28, 1964, to discuss features of the 1965 budget, the matter was brought up by a school board member.

A portion of the dialogue follows:

"Board Member Mrs. GREEN. I am thinking of what recommendations have come to us on an assistant superintendent of schools in charge of integration. Are you in a position to put this in (the budget) at this time?

"WILLIS. I am not in a position. I am not ready to talk about it specifically.

"Board Member CLEMENT. I have a feeling that one person should plan intercommunity development and integration, both as a functional and symbolic value.

"WILLIS. I would like a chance to explain this organizational setup. There is no one in an administrative post that hasn't an extent of responsibility * * * I'd like to work this out with the staff. As far as an assistant superintendent in charge of integration, even a teacher can do it.

"CLEMENT. If after a study of the staff and of one person (for this) it could be worked in as an assistant superintendent. I don't see anything in the budget on this.

"WILLIS. We have a person coordinating this but we haven't upgraded her, nor given her an appropriate title. Where is this? What page is it on? (Turns angrily to Mr. Hill, an aid.) We need to revamp this area. We need to have the heads of departments as consultants. We do not have an appropriate salary adjustment. The word coordinator should be changed * * * we have overloaded our assistant superintendents with peripheral work, as it is."

(Notes on special meeting of Chicago Board of Education, December 28, 1964.)

The record of Willis in the matter of continuing a policy of segregating Chicago's schools is abundantly clear. If anything else is needed to prove the point let us examine the situation of Waller High School, an integrated school functioning abundantly well in a community fighting shoulder to shoulder, black, white, and yellow to keep it that way. But Willis has plans to change this happy, successful pattern of life and education. Under the guise that the school is "overlarge" he has found an excuse to build a new high school which would drain away most of the white students and create another segregated Negro ghetto.

The recently published Urban League study on segregation 1963–65, in Chicago's public schools proves undeniably that there is increased segregation, due to the prolonged neglect of any experimentation or attempt to change the picture. Board Member Adams in a recent newspaper article took issue with the league's study, insisting that it was the rapid increase of the Negro population that has caused this and not an overt attempt on anyone's part in school administrative circles to bring it about. The Willis record proves otherwise. It is the Willis tactic of delay, of indifference to community voices, of direct manipulation to keep school districts in predominately white neighborhoods well nurtured, enriched and favored to the detriment of the all-Negro neighborhoods. There was no leadership given to educate the total community to share, to "learn to know one another" and to accept one another's differences and similarities, toward building a greater Chicago.

Who has suffered from the Willis school segregation policy? In the long run, probably everyone in the city of Chicago, and most certainly all who have "fled" from it to the suburbs. But most of all, yes, most of all, the children of everyone of us, black and white.

II. Willis stands accused of engaging in an extravagant school building program that has cost the city unnecessary expenditures of millions of dollars, a huge bonded debt, the highest property taxation in the city's history, and worst of all, at the expense of essential compensatory education: Reading clinics, speech treatment centers, special classes for the socially maladjusted and mentally retarded.

Willis eyes a building of 40 years askance. Rather than increase teachers' pay and recruit needed experts in counseling, social work and psychology, or revise textbooks and purchase newer, up-to-date vocational and recreational materials, or install better equipment, or renovate lighting fixtures, install new furnaces or other heating equipment, or use a coat of paint, Willis is motivated to build huge, crate-like structures that like Chicago's Dunbar High School fall into such a state of disrepair after only a few years usage that a Chicago newspaper demanded an inquiry into such "shoddy construction" for which millions of the taxpayers' money had been spent. (Source: Chicago American, article, pp. 1512–1526, Feb. 11, 1959, "Official Proceedings of the Chicago Board of Education.")

England, France, and other European countries point to their centuries old school buildings of Oxford, Cambridge, the Sorbonne, relying on the quality of their educators and high academic standards to train their youth. But Chicago's schools superintendent prefers new buildings and underpaid teachers, inferior textbooks or none at all. Since Willis himself is a collector of antique furniture and cutglass, one wonders why this passion for construction of the new public school buildings? Is it a sign of an "young" social order and a developing nation, or is it something more ominous? Only a careful investigation of those who have interests in the building industry and its many arms, both management and union, would determine whether it is these interests that run city hall and the schools or the people of Chicago.

Let us examine some instances of the Willis record as regards his building mania:

(1) One hundred and fifty million tax dollars in three bond issues which Willis spent to erect buildings furthering school segregation apparently did not satisfy him. He built segregated Washington, Bogan and Mather High Schools; erected segregated vocational schools Dunbar and Prosser; built a segregated branch of Teachers College on the city's far North Side; constructed segregated elementary school additions to Jenner on the near North Side to name only one of the many schools of this type that he retained his ghetto policy. He used mobile classrooms to implement his segregationist principles and to contain the school population of the Negro people in a "restricted" area.

(2) Some $18 million in the 1965 budget (p. 147, 1965 budget) were allocated for school sites and buildings that are not actually needed if the Willis figures for November 12, 1964, are correct. These figures state that there are only 31.6 pupils in each of 10,776 classrooms staffed at 32.5 pupils per teacher. Thus, there is room for 9,698 more students throughout the city without any additional building.

Willis has stated that he expects an increase of 7,100 more pupils in September 1965 than in 1964. If his figures are accurate and there is room available already for 9,698 pupils, he has enough space now to accommodate them (budget figures quoted, p. 323, 1965 schools budget).

(3) At the November 26, 1964, committee of the whole session of the Chicago Board of Education, Willis outlined his plan of a billion dollar school spending program for the next 5 years (from that date). He states that he will retire as of December 1966 when he reaches the age of 65, but on view of his plan for an elaborate school spending program, it is to be seriously questioned whether Willis will keep his word.

As of last November (1964) Willis admitted that the city had insufficient funds to embark on the program he envisioned. In fact, at that date it was necessary to borrow $123 million to carry on the schools at all until additional moneys from taxes could be raised. Willis further stated at the time that it was easier to borrow money from west coast bankers than from Chicago lenders, but the interest was higher. Willis fully expected to get the required billion dollars from taxes, from matching State and Federal moneys and/or a referendum. There was the possibility at the time that Mayor Daley could raise some additional cash by raising the sales tax on staples. However, this source of revenue was cut off by recent action of the Illinois State Senate under the leadership of Senator Arrington, arch foe of the Daley regime.

The city property tax rate has reached its limit of $1.72 per $100 assessment. With Arrington shutting off State funds so confidently expected and a more than even chance of some Federal moneys being shut off by the redoubtable Congressman Adam Clayton Powell, chairman of the House Labor and Welfare Committee, the possibility of requesting the State legislature for a referendum in 1966 looms ahead.

Willis furnished the November 14, 1964, meeting of the board of education with the details of his proposed billion-dollar school building plan. He said such a program was based on a cost of $4,000 per pupil. He broke down costs thus: Land cost, $500; site development, $100; furniture and equipment, $500; construction cost per square foot, $2,650; professional and engineering cost, $250. This made a total of $4,000 per pupil. It can be seen that $3,750 of these costs are for site acquisition and development, construction and equipment. The meager sum of $250 per child is to cover teacher salaries, and essential compensatory education; but even this small sum includes engineer and custodial costs. It is quote obvious that Willis placed new buildings above the value of expert, well-paid teachers and expert tools of education.

The question rises, why the building mania of Willis? Is it because he prefers new buildings over new methodology and quality education or is it because he yielded to certain powerful pressure of the groups behind Mayor Daley? Perhaps the construction industry, the building trades, the material service suppliers, among others? It makes one wonder. And as for the constant acquisition of more sites, how about the real estate manipulators. Again one wonders.

(4) At the December 28, 1964, board of education special meeting called to discuss details of the 1965 budget, Willis stated that "we can do better with fringe benefits for teachers than salaries." He admitted that teachers had not received a blanket overall raise since 1953. This was the year that Willis came

to Chicago. He confessed that there was a present lack of 3,000 to 3,500 qualified, certified teachers in the present Chicago school system.

At the same time Willis confessed that there was such an amount of teacher absenteeism and general teacher shortage that airline hostesses were being recruited as substitute teachers. He neglected to state whether they had any prior teaching experience.

Willis also admitted that in some schools there were no textbooks. He blamed this on a need to use worn-out materials, on carelessness in use, on vandalism. He also stated that in some schools there were no library facilities.

It should be brought out that at the December 23 meeting of the school board Willis endeavored to remove a sum of $75,000 from the fund for the education of gifted children, specifically the language program, to be transferred to the building fund to supply Willis with the wherewithal to redecorate his office. For once the board members refused to allow such wanton disregard for the children's welfare, only to see the money go into the general unused fund available at the end of the year. One was tempted to inquire why the language program for the gifted had a surplus in the first place. One was also loath to accept the idea that the walls of the Willis office are more important than the lack of essential textbooks.

Willis stated at the Dec. 28, 1964, meeting that there was a lack of 430 qualified social adjustment teachers to meet the need of dealing with the "socially" handicapped. He also stated that there was 1 guidance teacher for every 958 students.

At the same time Willis agreed to an increase of the number of board of education electrical mechanics from 42 to 46 and to raise the automobile allowance of said mechanics to $12,000. This was done at the request of board member Thomas Murray, also president of Local 134 of the Brotherhood of Electrical Workers. Murray has always been an idolatrous follower of Willis and is sure to vote for every issue the superintendent desires. Murray is also a member of the committee on the Washburne Trade School, noted for its discrimination on the training of Negro apprentices.

It was also at this same meeting that Willis stated that by keeping a citywide average of 35½ students per room he could save money. One wonders where the vaunted figure of 32½ overall citywide average per classroom had vanished.

III. Superintendent of Schools Benjamin C. Willis stands accused of setting a poor example for the city's children by the protection and encouragement of school personnel under indictment for misuse of public moneys.

Again let us go to the record.

(1) During the scandal involving one Frank O. Washam, schools lunchroom director, October 1956 through a large part of 1957, whose illegal tampering with the school children's foodstuff money involved some $500,000 and resulted in a Cook County grand jury indictment, Willis indirectly, at least, aided and abetted him. Instead of publicly denouncing his aid for the stain on the board of education administrative record, Willis actually urged the board of education to pay Frank Washam his entire salary during his enforced leave of absence, a sum totaling $5,935. This should be done, Willis urged the board, because "he (Washam) has kept us from embarrassment." (Source: Dec. 11, 1957, Official Proceedings, Chicago Board of Education; Dec. 12, 1957, Chicago Sun-Times.)

The board of education agreed with Willis that they had been "saved from embarrassment" and accordingly paid Washam his back salary while under "voluntary resignation."

Although little came of the Washam indictment, the local press was so shocked over the affair that the Sun-Times charged: "Such payment set a bad example for the city's children by rewarding Washam for conduct that was, at least, questionable, and at worst, a betrayal of public trust." (Chicago Sun-Times, Dec. 12, 1957.)

(2) In October 1958, Alfred E. Bolt, board of education assistant superintendent of finance, was indicted by the Federal Internal Revenue Service for income tax evasion for undeclared income gained illegally from deals made by controlling school property tax assessment in rental rates. Willis granted Bolt a leave of absence and promised publicly that "charges against him (Bolt) will be investigated." However, as far as the press and the public knows that was the end of it.

IV. Superintendent of Schools Benjamin C. Willis stands accused of failure to furnish the public and the Chicago Board of Education itself with facts and figures essential to understanding and clarification of school problems; deliberate omission from official records of data hitherto recorded; and distortion of the same official data.

Let us look at some examples.

(1) In 1954 and 1955, Willis changed the tables in "Facts and Figures," the Chicago Board of Education publication, from average daily enrollment of students to "true membership." In 1956 and to the present date the entire first part of the table was dropped so that there was no peak of attendance but only an enrollment rise. The 1960 total figure of enrollment was actually less than the peak year of 1932 but from the statistics given, the public had no way of knowing it.

(2) The number of available classrooms has not been readily available since 1931–32. This data has been deleted from the school directories. Parents have been unable to obtain such information. Willis has kept such statistics a close secret. Local newspapers and interested civic groups took their own surveys of empty classrooms and usable space. Willis denied the existence of such available space.

(3) The number of children per classroom was omitted in "Facts and Figures" by the Willis-administered staff. Instead the number of teachers is given for each school and this may include librarian, guidance teacher, gymnasium instructor, and other special teachers. The number of pupils per teacher is given but there is no breakdown of number by classroom. For example, the number of teachers in a given school may be 30 but some classrooms may house 50 children; others 20. Willis did not and still does not allow this to be enumerated. Thus, the exact ratio of children to teacher in the classrooms throughout the city is extremely hard to figure out by the general public. This is the way Willis desires it.

(4) The rating performance of Chicago's schoolchildren on mental and academic achievement tests was a closely guarded secret until just recently. Why? Perhaps Willis could not endure to let the public know exactly where Chicago falls in the national average nor the glaring fact that most of her high school graduates have a reading average at eighth-grade level or less; that a large number of freshmen at Chicago Teachers Colleges are so poor in the basic skills of reading and arithmetic and composition that they have to take special tutorial work for a year to be able to do the first-year college work. And these are not Negro children who have come to Chicago from the south; these students are native Chicagoans reared in Chicago schools from the onset of their educational life.

(5) Willis has failed to make his reports to the Chicago Board of Education available to members on many occasions. On November 25, 1964, there were questions raised by several school board members on the absence of requested reports. Board Member Pasnick felt "that we should have such reports to better evaluate the issues." Willis insisted that such data had been furnished in sufficient time to read and digest it. Board Member Clement took issue with Willis, "your statement is not accurate. I telephoned every day for 3 days for these reports, for some data on this matter of mobile classrooms. It is only today that I can make the statement that I have any data. * * * I have spent a large number of hours. I tried to get Mr. Willis. * * * I could not get the information."

(Source: Notes on committee of the whole meeting, Nov. 25, 1964.)

Willis' usual method of presenting reports to the school board is to do it personally rather than to call on any of his aids. He talks at great length about the subject matter without simplification and often fails to answer the question placed to him. Willis is a man given to verbiage with little definitiveness. To the uninitiated he may appear a fount of wisdom; to the professional educator or the trained political or educational analyst he sounds superficial. verbose, at times, confused.

There are those among the public that ascribe such verbal meanderings as calculated evasiveness cunningly designed to bewilder the interrogator. "This is the Willis way of getting what he wants from the board. He talks them into silence." Whatever is the correct analysis of the Willis rhetoric, the effect is negative. The result is further confusion; additional frustration. Most of the board of education meetings open to the public seem to be characterized by an "Alice in Wonderland" atmosphere. One of the watching reporters aptly christened the school board meetings as "The Mad Hatter's Tea Parties."

All this confusion and lack of real communication between the public schools superintendent and the Chicago Board of Education cannot help but have a baleful effect on the public at large. Such lack of basic unity and coordination on the highest echelon of the city's public school structure has permeated throughout the teaching staff, so that they, too, are divided in their estimation as the board of education is divided. Who suffers most from all this bedlam? The children in the public schools of Chicago.

V. Superintendent of Schools Benjamin C. Willis stands accused of inability to take suggestions of advisory committees in a positive sense

Although Dr. Robert Havighurst has suggested the formation of a citywide organization made up of various civic groups to assist the board of education in obtaining public support for school programs, Willis seems to disagree. Willis has appeared to hold reservations concerning advisory committees. Perhaps this is based on a traditional concept of education such as was expressed in the Chicago Public School Survey of 1952. This survey maintained that it "is always a mistake for the schools to be organized so that agencies other than a board of education are responsible for the administration of vital and indispensable services in the schools." (Chicago Sun-Times, June 6, 1965, p. 24.)

Willis expressed his sentiments on the Friends of the Schools Committee, a publicized body of civic leaders of varied opinions set up to further public relations between the schools and the public. On December 28, 1964, at the budget meeting, Willis was asked if there was provision made for a separate staff for the "friends" committee. Willis replied: "No. They have a lot of problems * * * the main one being there is no permanent chairman. (Later, Mr. John Cusak, a lawyer, was so named). You of the board must consider the history of advisory committees. There is the danger of their taking over prerogatives of the board, of this or that function, and pretty soon you wonder where the board of education is * * *" (Source: Notes of the special meeting on the budget, Dec. 28, 1964.)

VI. Superintendent of Schools Benjamin C. Willis academically and psychologically stands accused of a lack of appreciation of urban change of which the Negro revolution in Chicago is a paramount feature

There is little in the Willis background, environmentally or educationally, that would equip him to understand the unrest of Chicago's largest minority frustrated to the breaking point at the inequality so apparent in Chicago's public schools.

Again, let us go to the record.

Willis was born in Baltimore, Md., December 23, 1901, of middle-class stock. The family moved to Easton, Md., population, 4,836, where Willis spent his childhood and graduated from the rural high school. In this small-town southern community Willis was nurtured from birth on one code—the supremacy of the white man. It was ingrained, unconscious bigotry, perhaps, but a factor in his training, nonetheless.

On graduation from high school Willis attended St. John's College, existent since American revolutionary days, at Annapolis, Md., population 10,047. He transferred to George Washington College, Washington, D.C., where he received a B.A. degree in 1922. Later this college became a university. However, neither of these two institutions of higher learning were noted particularly for academic excellence. The Washington, D.C., experience was probably the first prolonged contact with a community of any real size for Willis. However, Washington is not a typical large city with the usual urban problems of an industrial society.

After receiving his college degree, Willis worked briefly as a car salesman, then decided to teach school. His first job was a combined teacher-principalship typical of some rural communities, particularly in the South. This was in the village of Henderson, Md., population 106. In the next 11 years Willis changed positions five different times, moving to as many small towns. He served as principal at Federalsburg, Md., population 1,876; Denton, population, 1,806; Sparrows Point (for the summer only, population, 12,000); Cantonsville, population too small for listing in an atlas. In 1934 at the age of 33, Willis became Carolina County superintendent of schools with headquarters in Benton, Md., population, 1,806. Six years later in 1940, he accepted the Washington County superintendency at Hagerstown, Md., population, 36,268. This must have seemed a metropolis after the small rural communities in which he had spent so much of his life, 39 years in all. What a far cry this was from the crowded wards of

Chicago any of whose population would have swallowed up more than one of the little communities in which Willis had his formative and even middle years.

In 1926 Willis had obtained a master's degree in school administration from the University of Maryland, again not high on the list of the Nation's centers of learning. Also the agricultural rural setting added little to his knowledge of persons widely divergent from himself.

From time to time Willis attended summer schools at Columbia University, New York City. This was his first real contact with metropolitan life but it was spent mainly on or near the university campus and the real life of the great city probably did not concern him. It took Willis a long time to obtain the doctorate but he finally received it in 1951.

Willis had good luck. He served as superintendent of schools at Yonkers, N.Y., population 152,798, before obtaining a doctorate, usually essential to obtain such a post. Willis did not get his Yonkers job until he was 46 years old. Forty-six years in a Maryland backwoods community structure molded him into what he was to remain—a smiling, courteous, albeit overly assured southerner who innately believed himself one of the superior class. Nothing he did in the 46 years already mentioned would cause anyone to consider otherwise.

Willis was reluctant to leave Hagerstown for he worked in Yonkers only part of the time; his excuse was that he had to conclude the job of organizing a rural junior college which he had started in Hagerstown. His sojurn in Yonkers was brief. Actually, he remained there full time from 1948 to 50, although his contract was for 3 years and began in 1947. It was in Yonkers that he began the habit of serving two masters of one, of having two jobs simultaneously, which he is still doing in Chicago.

Buffalo, N.Y., appeared on the Willis horizon in 1950. In both Yonkers and Buffalo, two middle-sized industrial northern cities, his tenure was brief. His work could have scarcely left more than an imprint. In both places he was concerned with the use of "waste space" in the schools. In Buffalo he used a State survey to assist him in his endeavors. In Yonkers he utilized school additions to implement demands for an expanding school enrollment. He attempted to set up a vocational high school program in Buffalo and did so by eliminating seven of the city's academic high schools which did not sit favorably with some in the community but impressed the local businessmen.

Prior to coming on the Chicago scene the greatest success of Benjamin C. Willis was outside of the job of schools superintendent in the various places where he had worked. His extra-curricular activity had semipolitical overtones at best. He served as Chairman of the U.S. Commission in Life Adjustment Education for Youth during the Truman administration. In 1947 he served as chairman of the Yearbook Commission of the American Association of School Administrators. Both these positions had political overtones. Many years later President John F. Kennedy called him to Washington for an advisory educational group capacity. Willis seems to thrive in a semipolitical atmosphere. Why not? He has played a political game—itself a master achievement of serving the right interests of the power structures in which he found himself at the precise, right moment.

Willis came to Chicago in September 1953 as a compromise choice since the board of education at the time had been engaged in internecine wrangling over candidates for the post of schools superintendent. Contrary to what the present president of the school board, Frank Whiston announced July 7, 1965 he did not fulfill the year's requirement of Illinois residence required by law as did the local candidates for the schools job. Willis was a rank outsider. Nevertheless, he was selected over the "local talent" inasmuch as the board could not come to an agreement, otherwise. Willis was first interviewed for the post in May 1953. His main rival was Thaddeus Lubera, now an assistant superintendent. Willis was the choice of the then president of the school board, William Traynor, also president of Swift & Co., meatpackers, of whom it was said that he "trains men better than he picks them." (Chicago Tribune articles, June 1, 1953.) Traynor chose Willis and the die was cast for Chicago's public school administration.

A local newspaper of that date—June 2, 1965—took a glum view of the Willis appointment. A news item stated: "In Buffalo, Willis directed the activities of 100 schools, 66,000 pupils, 3,800 employees and a $19,650,000 budget. In Chicago, a city of many times more population than Buffalo, there are 400 schools, 400,000 pupils, 22,000 employees and a $146 million budget * * * Willis obtained $18,000 in Buffalo as salary; in Chicago, he receives $30,000." This implication was not favorable. (Chicago Tribune, June 2, 1953.)

The Willis salary has now mounted to $48,500. His 1965 school budget has grown to $287 million, but Willis wants a billion-dollar spending program spread over the 4 years of his new contract. (He was so certain this would be renewed that he outlined his plan early in the fall of 1964.) There are rumors that Willis intends to remain in Chicago at his post whatever he has said to some members of the board and despite his public announcement on his contract renewal recently. This fits in with the July 7 announcement of Whiston that his successor must have Illinois residence. Strange that this same law did not apply when Willis was considered for the position. If Willis chooses to remain after he reaches retirement age he is legally correct, inasmuch as another facet of the law regarding his particular position reads that the appointment is for 4 years. The action of the Chicago Board of Education at the May 27, 1965, meeting at which they happily called a "compromise" in rehiring Willis with the verbal promise from him of retirement in 1966 could very well boomerang. Who knows whether or not in the hearts of those who voted for him that they wished him to complete his tenure and that this was a "sop" for dissidents? Only time can tell.

There is little in the environment factors that go to make a man what he is in the Willis picture that would cause him to hold the breadth of vision, imagination and desire to experiment to solve educational problems that are essential in a schools superintendent for a city of the magnitude of Chicago. There is sparse proof in his educational preparation that would give him the sociological and psychological understanding of persons of diverse background and mentality with whom he is called on to deal. There has been a paucity of understanding of people and their aspirations who differ widely from his own experience, an impatience, even arrogance that has been widely commented by most observers. There is little that one can find from viewing the Willis record that would mark him as a man of sympathy and understanding.

Willis the "great educator-administrator" is a myth, destined for dissolution in the face of facts. Willis the "heroic" figure is a legend created through ignorance of the record, fostered by prejudice, even bigotry, built upon controversy and that curious feature of public life—the whitewash—designed to sweep anything and everything detrimental to the party in power under the rug.

At best, Benjamin C. Willis holds forth as aptly described in an issue of *Nation's Business*, May 1951, which said in part: "Willis is a salesman in education who runs everything but tugboats." At worst, Willis appears as the product of a rural southern segregationist community who is fixed, rigid, and inflexible in his views and has given no evidence at any part of his 63 years that he comprehends the motivation and force of the Negro dream and the Negro purpose which expressed in simplest terms is merely to become a first-class citizen of Chicago, or wherever he resides, an integral, equal part of American life with equality in education, work, and housing on a part with other Americans. In his blindness, spiritual if you will, Willis has become "the Wallace of Chicago." And as long as he remains at the helm of Chicago's public schools, there can be no peace.

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